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150/ South Carolina Collection

# ACTS

AND

# JOINT RESOLUTIONS

OF THE

# GENERAL ASSEMBLY

OF THE

## STATE OF SOUTH CAROLINA,

PASSED AT THE

## REGULAR SESSION OF 1893.

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PRINTED BY ORDER OF THE GENERAL ASSEMBLY AND DESIGNED TO FORM A PART OF THE TWENTY-FIRST VOLUME OF THE STATUTES AT LARGE, COMMENCING WITH THE ACTS OF THE REGULAR SESSION OF 1892.

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COLUMBIA, S. C.
CHARLES A. CALVO, JR., STATE PRINTER.
1893.

374418

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# ACTS AND JOINT RESOLUTIONS

OF THE

## GENERAL ASSEMBLY

OF THE

# STATE OF SOUTH CAROLINA

*Passed at the Regular Session which was begun and held at the City of Columbia on the Twenty-Eighth Day of November, A. D. 1893, and was adjourned without day on the Twenty-Third Day of December, A. D. 1893.*

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BENJAMIN R. TILLMAN, Governor. EUGENE B. GARY, Lieutenant-Governor and *ex officio* President of the Senate. IRA B. JONES, Speaker of the House of Representatives. SAMPSON POPE, Clerk of the Senate. J. WALTER GRAY, Clerk of the House of Representatives.

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## PART I.

## General Laws and Joint Resolutions.

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AN ACT TO PROVIDE FOR THE FORFEITURE OF THE CHARTER OF ANY CORPORATION CREATED UNDER THE LAWS OF THIS STATE WHENEVER SUCH CORPORATION SHALL REFUSE, NEGLECT OR OMIT TO PAY THE TAXES AS ASSESSED AND LEVIED UPON THE PROPERTY OF SUCH CORPORATION FOR STATE AND COUNTY PURPOSES.

A. D. 1893.
No. 283.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1893.

General Assembly, and by the authority of the same, That whenever any corporation chartered under the laws of this State shall, within thirty days after the time required and permitted by law for taxes to be paid, with or without penalty, as now required by law, refuse, neglect or omit to pay the taxes for State and County purposes, as assessed and levied upon the property of such corporation, the charter of such corporation, with all the rights, privileges and franchises thereunder, shall become and be deemed forfeited, and the corporate existence of such corporation shall be annulled.

Refusal to pay.

Works a forfeiture.

Attorney-General to bring action.

SEC. 2. That in every such case it shall be the duty of the Attorney-General, and he is hereby required, to bring an action against such corporation for the purpose of vacating and annulling the Act incorporating such corporation and all Acts amendatory or in renewal thereof, in the manner prescribed by Title XIII., Chapter II., of the Code of Civil Procedure of this State.

Public Act. When to take effect.

SEC. 3. That this Act shall be deemed a public Act, and shall go into effect immediately upon the approval thereof.

Approved December 18th, A. D. 1893.

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No. 284. AN ACT FOR THE PROTECTION OF THE AIDS TO NAVIGATION ESTABLISHED BY THE AUTHORITY OF THE UNITED STATES LIGHT HOUSE BOARD WITHIN THE STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That any person or persons who shall moor any vessel or vessels of any kind or name whatsoever, or any raft or any part of a raft, to any buoy, beacon or day mark placed in the waters of South Carolina by the authority of the United States Light House Board, or shall in any manner hang on with any vessel or raft, or part of a raft, to any such buoy, beacon or day mark, or shall willfully remove, damage or destroy any beacon or beacons erected on lands in this State by the authority of the said United States Light House Board, or having, through unavoidable accident, run down, dragged from its position, or in any way injured any buoy, beacon or day mark as aforesaid, and shall fail to give notice as soon as practicable of having done so to the Light House Inspec-

Acts prohibited.

A. D. 1893.

tor of the district in which said buoy, beacon or day mark may be located, or to the Board of Wardens for the Port of South Carolina, shall, for every such offense, be deemed guilty of a misdemeanor, and upon conviction thereof before any Court of competent jurisdiction shall be punished by a fine not to exceed two hundred dollars or imprisonment not to exceed three months, or both, at the discretion of the Court; one-third of the fine in each case shall be paid to the informer and two-thirds thereof to the Light House Board, to be used in repairing the said buoys or beacons.

Penalty and punishment.

Appropriation of fine.

SEC. 2. It shall be unlawful for any vessel to anchor on the range line of any range lights established by the United States Light House Board in this State, and the master of any vessel so anchoring shall be deemed guilty of a misdemeanor, and upon conviction thereof before any Court of competent jurisdiction shall be punished by a fine not to exceed fifty dollars, one-half of the fine in each case to be paid to the informer and one-half to the State.

Anchorage of vessels.

Penalty.

SEC. 3. The cost of repairing or replacing any such buoy, beacon or day mark which may have been misplaced, damaged or destroyed by any vessel or raft whatsoever having been made fast to any such buoy, beacon or day mark shall, when the same shall be legally ascertained, be a lien upon such vessel or raft, and may be recovered against said vessel or raft and the owner or owners thereof in an action of debt in any Court of competent jurisdiction in this State.

Cost of repairs.

To be a lien.

SEC. 4. This Act shall take effect immediately.

When to take effect.

Approved December 18th, A. D. 1893.

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AN ACT TO PROHIBIT PRIZE FIGHTING WITHIN THE BORDERS OF THIS STATE AND TO PUNISH ALL OFFENDERS AND THEIR SECONDS. No. 285.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act it shall be unlawful for any person or persons to engage in prize fighting, or to be a second in a prize fight, within the limits of this State.

Prohibited.

A. D. 1893.

Punishment.

SEC. 2. That any person violating the provisions of the first Section of this Act shall be punished by a fine of not exceeding one thousand dollars or imprisonment not exceeding three years, or both fine and imprisonment, in the discretion of the Court.

Approved December 18th, A. D. 1893.

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No. 286. AN ACT TO APPOINT COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Governor to appoint Board of three.

within thirty days after the passage of this Act the Governor shall appoint, by and with the consent of the Senate, three Commissioners who are hereby constituted a Board of Commissioners by the name and style of Commissioners for the Promotion of Uniformity of Legislation in the United

Duty of Board.

States. It shall be the duty of said Board to examine the subjects of insolvency, the form of notarial certificates and other subjects; to ascertain the best means to effect an assimilation and uniformity in the laws of the States and act with the other States of the Union in the same endeavor in a convention to draft uniform laws to be submitted for the approval and adoption of the several States, and to devise and recommend such measures as shall best accomplish the purpose of this Act.

First appointment.

That until the Senate meets in 1894 the Governor shall appoint such Commissioners with full power to act, subject, nevertheless,

No compensation. Term.

to the consent of the Senate at its next meeting. That such Commissioners shall serve without pay or emolument, and shall

Vacancies.

continue in office for the period of four years. The Governor, in like manner, shall fill all the vacancies which shall at any time occur in said Board by the death, resignation or withdrawal of any one or more of said Commissioners.

Approved December 18th, A. D. 1893.

AN ACT TO REQUIRE THE MASTER AND REFEREES TO MAKE AND FILE THEIR REPORTS WITHIN SIXTY DAYS AFTER ANY ACTION SHALL BE FINALLY SUBMITTED TO THEM. A. D. 1893. No. 287.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in all cases referred to Masters and Referees by the Courts of Common Pleas, as now provided by law, the Masters or Referees shall make and file with the Clerks of the Courts of Common Pleas of their respective Counties their reports within sixty days from the time the action shall be finally submitted to them, and in default thereof they shall not be entitled to any fees: *Provided,* That nothing herein contained shall prevent parties to said action or their attorneys from extending the time by mutual consent in writing. Time prescribed. Penalty. Extension of time.

SEC. 2. That the provisions of this Act shall apply to all cases now pending before Masters and Referees, as well as those which may hereafter be referred as provided by law. To what cases applicable.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

Approved December 18th, A. D. 1893.

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AN ACT TO REPEAL SECTION SEVEN (7) OF AN ACT ENTITLED "AN ACT TO PROVIDE A MODE OF DISTRIBUTION OF THE MONEYS COLLECTED AS DIRECT TAX FROM THE CITIZENS OF THIS STATE BY THE UNITED STATES AND TURNED OVER IN TRUST TO THE STATE OF SOUTH CAROLINA," AND SUBSTITUTE A SECTION IN LIEU THEREOF. No. 288.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same. That Section seven (7) of an Act entitled "An Act to provide a mode of distribution of the moneys collected as direct tax from the citizens of this State by the United States and turned over in trust to the State of South Carolina," approved December 24th, 1891, be, and the same is hereby, repealed, and in lieu thereof the following is substituted: A. A. 1891, 87, 20 Stat., 1067, amended.

A. D. 1893.

Reports by Masters.

SECTION 7. That the Masters for Charleston and Beaufort Counties shall within ten days after the expiration of the time allowed for appeals from their judgments, and within fifteen days after the date of any judgment rendered by them, certify the same to the Governor of the State, stating the names of the petitioners and the amount adjudged to each, together with a certified copy of any notice of appeal and the grounds thereof filed in any case so adjudged; and in case of any appeal from the judgments of said Masters, the Clerk of the Court of Common Pleas to which the same may be taken within ten days from decision of any such appeal shall likewise certify to the Governor the names of petitioners and amounts adjudged to each together with a certified copy of the judgment of the Court in each case.

In cases of appeal.

Approved December 18th, A. D. 1893.

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No. 289. AN ACT TO PROVIDE FOR THE PERFORMANCE OF THE DUTIES OF REGISTER OF MESNE CONVEYANCES WHEN THEIR OFFICES BECOME VACANT BY DEATH OF THE REGISTER OR OTHERWISE.

Auditor to take charge.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in case of any vacancy in the office of the Register of Mesne Conveyances, the Auditor of the County in which such vacancy shall occur shall take charge of said office and all papers therein, and discharge the same duties, receive the same fees or salaries, and be subject to the same liability as is by law provided for a Register of Mesne Conveyances until a Register of Mesne Conveyances shall be appointed by the Governor, or elected and commissioned for such County.

Duties, pay, &c.

Period.

Approved December 18th, A. D. 1893.

A. D. 1893.
No. 290.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE ANNUAL SETTLEMENTS OF COUNTY COMMISSIONERS, COUNTY SCHOOL COMMISSIONERS AND COUNTY TREASURERS FOR COUNTY AND SCHOOL TAXES, AND TO REQUIRE THE COMPTROLLER-GENERAL TO PRESCRIBE THE FORM UPON WHICH SAID SETTLEMENTS ARE MADE AND THE SYSTEM OF BOOKKEEPING IN SAID OFFICE," APPROVED DECEMBER 24TH, 1889, BY STRIKING OUT ALL IN THE FIRST SECTION OF SAID ACT AFTER THE ENACTING CLAUSE, AND BY STRIKING OUT SECTIONS 3, 9 AND 10 OF SAID ACT AND BY CHANGING THE NUMBERING OF THE REMAINING SECTIONS AS FOLLOWS: 2 TO 1, 4 TO 2, 5 TO 3, 6 TO 4, 7 TO 5, AND 8 TO 6, AND BY ADDING A SECTION TO BE KNOWN AS SECTION 7.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act to regulate the annual settlements of County Commissioners, County School Commissioners and County Treasurers for County and school taxes, and to require the Comptroller-General to prescribe the form upon which said settlements are made and the system of bookkeeping in said offices," approved December 24th, 1889, be, and the said Act is hereby, amended by striking out all of Section 1 after the enacting words, and by striking out all of Sections 3, 9 and 10, and by changing the numbering of the remaining Sections as follows, to wit: Change the number of Section 2 to 1 so as to make Section 2 Section 1 of said Act, and also change 4 to 2, 5 to 3, 6 to 4, 7 to 5 and 8 to 6 respectively, and by adding to said Act the following, to be known and designated as Section 7:

A. A. 1889, 20 Stat., § 348, amended.

How amended.

SECTION 7. That the day fixed for the settlements provided for in Sections 1 and 3 hereof shall be on or before the 1st day of May, or as soon thereafter as the Comptroller-General may appoint.

Time for settlements.

Approved December 18th, A. D. 1893.

A. D. 1893.
No. 291.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF SEPARATE SCHOOL DISTRICTS IN THE SEVERAL CITIES, INCORPORATED TOWNS AND VILLAGES IN THIS STATE, TO AUTHORIZE THE LEVY AND COLLECTION OF SPECIAL TAXES THEREIN, AND TO AUTHORIZE THE LEVY AND COLLECTION OF SPECIAL TAXES IN THE SEVERAL SCHOOL DISTRICTS NOW FORMED OR HEREAFTER TO BE FORMED OUTSIDE OF CITIES, INCORPORATED TOWNS AND VILLAGES," APPROVED DECEMBER 24TH, A. D. 1888.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to provide for the establishment of separate school districts in the several cities, incorporated towns and villages in this State, to authorize the levy and collection of special taxes therein, and to authorize the levy and collection of special taxes in the several school districts now formed or hereafter to be formed outside of cities, incorporated towns and villages," approved December 24th, A. D., 1888, be, and the same is hereby, amended by striking out the word "two" after the words "not exceeding," on the fifteenth line of the second Section, and inserting the word "four" in its stead; also by inserting after the word "tax duplicates" and before the words "and the" on the twenty-first line of said Section the following: "And the Auditor shall annually each year thereafter enter said amount in his tax duplicates until the same is increased, decreased or repealed by said taxpayers at a meeting called for that purpose, and he is notified that the same has been increased, decreased or repealed, and if increased or decreased he shall enter it annually as before, which meeting shall be called and notice given in the same way and manner as is herein provided for the calling of meetings to make the levy and the giving of the notice that it has been made;" also by striking out the word "two" after the words "not exceeding" on the fifth line of Section 3 and inserting the word "four" instead; also by striking out the word "his" after the words "school in" on the third line of Section 4 and inserting therefor the words "said school;" and also by adding to Section 5 the following: "*Provided,* Said district or districts is without Trustees." So that said Act when amended shall read as follows:

A. A. 1888, 20 Stat., p. 49, amended.

Amendments specified.

A. D. 1893.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of establishing and maintaining graded or other public schools in any city, incorporated town or village in this State, such city, incorporated town or village desiring to establish and maintain the same, and to receive the benefits of this Act, are hereby constituted and declared to be separate school districts.

Establishment of school districts.

SEC. 2. That the voters of said school districts who return real or personal property of the value of one hundred dollars for taxation are authorized to levy and collect an annual tax to supplement any Constitutional or other tax for like purposes, and for said purposes the Trustees of said school districts, upon the written request of a majority of resident freeholders of the age of twenty-one years and over, shall call a public meeting of said taxpayers at any time before the first day of June of any fiscal year, which meeting must be advertised in a newspaper published in such city, incorporated town or village, once a week for two weeks, or posted in three conspicuous places in such school district for said length of time; and when assembled said meeting shall have the power to elect a chairman and secretary, to adjourn from time to time, to levy such special tax, not exceeding four mills, and to appropriate the same to such school purposes, as a majority present shall see fit; that no tax so levied shall be repealed at any subsequent meeting; that within ten (10) days after said meeting the chairman thereof shall furnish the Board of Trustees of such school district and the County Auditor with the amount so levied, and the Auditor shall enter the same in his tax duplicate, and he shall annually each year thereafter enter said amount in his tax duplicates until the same is increased, decreased or repealed by said taxpayers at a meeting called for that purpose and he is notified the same has been increased, decreased or repealed, and if increased or decreased he shall annually enter it as before, which meeting shall be called and notice given in the same way and manner as is herein provided for the calling of meetings to make the levy and the giving of the notice that it has been made, and the County Treasurer shall collect the same as other County and State taxes; such levy shall be a lien on the property in such school district, which shall be subject thereto in case of default of payment; that said tax so collected shall be paid out by the County Treasurer upon warrants drawn by the Board of Trustees, countersigned by the

Annual tax authorized.

Meeting of taxpayers.

Time.

Notice.

Powers of meeting.

Repeal of tax.

Notification to Auditor.

Entry on duplicate.

Change in tax levy.

Collection of tax.

Lien.

Disbursement.

A. D. 1893.

Surplus.

County School Commissioner: *Provided,* That any surplus of such levy remaining in the hands of the County Treasurer at the expiration of any fiscal year shall be paid out as herein provided and to be used for like purposes.

Country school districts.

SEC. 3. That the voters of any school district now formed or that may hereafter be formed by the County Board of Examiners, whose territory includes and extends beyond the limits of any city, incorporated town or village in this State, or of any school district now formed or that may hereafter be formed by the County Board of Examiners outside of cities, incorporated towns or villages in this State, who return real or personal property for taxation of the value of one hundred dollars, desiring to levy a tax not exceeding four mills, for the use and purposes hereinbefore mentioned in this Act, are hereby authorized and empowered to levy, collect and disburse such tax in the same manner and upon the same conditions prescribed in Section 2 of this Act for the levy, collection and disbursement of taxes for separate school districts in cities, incorporated towns or villages in this State: *Provided,* That this Act shall not interfere with any school district which has heretofore been created by special Act.

Established schools.

Designation of school by taxpayer.

SEC. 4. Each taxpayer, when he pays any tax for school purposes voted under the provisions of this Act, shall have the right to designate to which school in said school district he wishes the money paid by him to go, and the Treasurer shall keep a note of such designation, and the money be applied as thus designated. Where no designation is made by the taxpayer at the time of such payment the money shall be expended as other school funds in such district.

Board of Trustees.

SEC. 5. That it shall be the duty of the County Board of Examiners, as soon as the written request provided for in Section 2 shall have been made, to appoint three freeholders in said school district or districts to act as Trustees thereof: *Provided,* Said district or districts be without Trustees.

Undesignated territorial sections.

SEC. 6. That whenever petition shall be made by a majority of the voters in any section not included in any separate school district to the County Board of Examiners of any County praying that the section designated by them be established as a separate school district, the said County Board of Examiners are hereby authorized and required to establish such section as a separate school district, and said Board is hereby empowered to make such regulations for the government of same as may be conformable to law.

A. D. 1893.

Districts in two Counties.

SEC. 7. That whenever it shall happen that by reason of the location of special school districts portions of two adjacent Counties should, for convenience, be included in one school district, the County Board of Examiners of such Counties are hereby authorized and directed in joint conference to make such regulations as will enable such sections to be established into a separate school district.

Repealing clause.

SEC. 8. That all Acts and parts of Acts inconsistent with any of the provisions of this Act be, and the same are hereby, repealed.

Approved December 18th, A. D. 1893.

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AN ACT PROVIDING THAT SCHOOL TEACHERS' FIRST GRADE CERTIFICATES ISSUED BY THE COUNTY BOARD OF EXAMINERS SHALL BE GOOD AND VALID FOR THE TERM OF FIVE YEARS UNLESS REVOKED BY THE SAID BOARD OF EXAMINERS FOR CAUSE. No. 292.

Certificates good for five years.

Unless revoked.

Provisoes.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all teachers' school first grade certificates issued to school teachers by the Board of Examiners of the several Counties of this State shall be good and valid for the term of five years unless the same is revoked by the County Board of Examiners issuing the same for cause: *Provided,* They remain in active service, and provided the provisions of this Act shall not apply to certificates now in force: *And provided, further,* That all first grade teachers who have been teaching for ten years shall be exempt from further examination as long as they remain in active service in the public schools of this State or until revoked by the County Board of Examiners.

Teachers of ten years' service.

Repealing clause.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved December 20th, A. D. 1893.

A. D. 1893. No. 293.

AN ACT TO PROHIBIT COUNTY COMMISSIONERS FROM PAYING ANY FEES FOR PROOF OF CLAIMS AGAINST THE COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act no fees shall be paid by the County Commissioners of the several Counties in this State for the proof of any claim or claims presented to them against their respective Counties.

Fees prohibited.

Probate of claims.

SEC. 2. That all public officials are hereby required to probate without compensation all claims against their respective Counties.

Approved December 20th, A. D. 1893.

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No. 294. A JOINT RESOLUTION APPOINTING HON. J. B. KERSHAW, OF KERSHAW COUNTY, A COMMISSIONER FOR THE STATE, TO SUPERINTEND THE PREPARATION OF THE CONFEDERATE ROLLS FOR PUBLICATION.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Honorable Joseph B. Kershaw, of Kershaw County, be, and he is hereby, appointed a Commissioner of this State, to superintend the preparation of the Confederate rolls for publication and to prepare appropriate sketches of the part taken by the State of South Carolina, and the various commands from this State in the late war, to be published with said rolls.

Appointment.

Duties.

Compensation.

SEC. 2. That he shall receive as compensation for his services the sum of one thousand dollars and the further sum of three hundred dollars for clerk hire. Five hundred dollars of same to be paid to him when the work is begun and the other eight hundred dollars when the said work is completed.

Approved December 20th, A. D. 1893.

A JOINT RESOLUTION TO PROVIDE FOR A DEFICIENCY IN THE PAYMENT OF THE SALARY OF THE FISH COMMISSIONER FOR THE PAST FISCAL YEAR. A. D. 1893. No. 295.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller-General be authorized and required to draw his warrant, and the State Treasurer to pay the same out of any funds not otherwise appropriated, for the sum of four hundred and sixteen 63-100 dollars to meet a deficiency in the payment of the salary of the Fish Commissioner for the past fiscal year.

Warrant to be drawn and paid.

Amount.

Approved December 20th, A. D. 1893.

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A JOINT RESOLUTION TO PROVIDE FOR DEFICIENCY IN FUND FOR COUNTY AUDITORS' SALARIES FOR THE PAST FISCAL YEAR. No. 296.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller-General be authorized and required to draw his warrant on the State Treasurer for the sum of five hundred dollars, and the State Treasurer to pay the same out of any funds not otherwise appropriated, to meet a deficiency in payment of the salaries of County Auditors for the past fiscal year.

Warrant to be drawn and paid.

Approved December 20th, A. D. 1893.

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AN ACT TO AMEND THE LAW AS TO HAWKERS AND PEDDLERS. No. 297.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act no person shall, as hawker or peddler, expose for sale or sell any goods, wares or merchandise in any County in this State unless he has received and is ready to produce and exhibit a license from the Clerk of the Court of

License to be obtained.

A. D. 1893. Common Pleas of such County so to sell or expose for sale goods, wares and merchandise in said County.

Term of license. SEC. 2. That said Clerk shall issue licenses to hawkers and peddlers, to be good in his County until the last day of December next after the date of its issue, upon receiving from the License fee. applicant such fee or fees therefor as the County Commissioners shall at their first meeting in January after the passage of this Act, and thereafter at their first meeting in January of every year, establish and fix license fees for hawkers and peddlers in County Commissioners to fix fee. their County; and it shall be the duty of the County Commissioners to fix and establish the said license fees in the several Counties of this State. And each license shall specify the sum paid therefor and the privileges granted thereby.

Inspection of licenses. SEC. 3. It shall be the duty of every Trial Justice and every Constable and of the Sheriff and of his regular deputies to, and every citizen may, demand and inspect the license of any hawker or peddler in his or their County who shall come under the Arrest and trial. notice of any of said officers, and to arrest or cause to be arrested any hawker or peddler found without a good and valid license, and to bring such hawker or peddler before the nearest Trial Justice to be dealt with according to this Act.

Exceptions. SEC. 4. That the provisions of this Act shall not extend to vendors of newspapers, magazines, vegetables, tobacco, provisions of any kind or agricultural products, or to sales by sample by persons traveling for established commercial houses, but shall Inclusions. extend and apply to vendors of every other class and kind of goods, wares and merchandise, and to sales by sample or otherwise by such hawkers and peddlers of stoves, ranges, clocks, lightning rods, sewing machines, pianos or organs.

Penalty. SEC. 5. That any person or officer violating any of the requirements or duties imposed by this Act shall, upon conviction, be guilty of a misdemeanor and shall be fined not more than fifty Punishment. dollars or imprisoned in the County jail not more than thirty days for each and every offense.

Repealing clause. SEC. 6. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 20th, A. D. 1893.

AN ACT TO DECLARE THE TERMS ON WHICH FOREIGN CORPORATIONS MAY CARRY ON BUSINESS AND OWN PROPERTY WITHIN THE STATE OF SOUTH CAROLINA.

A. D. 1893.
No. 298.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That foreign corporations duly incorporated under the laws of any State of the United States, or of any foreign country in treaty and amity with the said United States, are hereby permitted to locate and carry on business within the State of South Carolina in like manner as the natural born citizens of the States of the United States, or of such foreign country, might do under the law existing at the time, subject, nevertheless, to the terms and conditions in this Act hereafter set forth.

Rights and privileges granted.

Terms.

SEC. 2. That any and every such foreign corporation owning property or doing business in this State on the 1st day of July, 1894, shall within sixty days after the 1st day of July, 1894, and any and every such foreign corporation which shall acquire property or commence to do business in this State after the 1st day of July, 1894, shall within sixty days after so acquiring any property or commencing to do business in this State file in the Secretary of State's office in this State a written stipulation or declaration, in due form, designating some place within this State as the principal place of business or place of location of said corporation in this State at which all legal papers may be served on said corporation by the delivery of the same to any officer, agent or employee of said corporation found thereon; or if none such be found thereon, then by leaving copies of the same on the premises, and that such services shall have like force and effect in all respects as service upon citizens of this State found within the limits of the same.

Times for Act to apply.

Stipulation to be filed.

Location.

Service of legal papers.

SEC. 3. That in addition to the same, said corporations are hereby required to file in the office of Secretary of State, together with the written stipulation or declaration aforesaid, copies of their charter and by-laws, with all amendments of the same that may from time to time be made, within sixty days from the date of making the same. That in addition thereto the said corporations are required to file annually in the office of the Secretary of State, on or before the thirty-first day of January, a statement, sworn to by some officer of the corporation, showing the residence and postoffice address of such corporation, the amount of capital stock of the same actually paid and the names of the

Copy of charter and by-laws

Sworn statement.

Contents.

A. D. 1893.

President and Secretary (if there be any such) and the Board of Directors, with their respective places of residence and postoffice addresses.

Copies to be furnished.

SEC. 4. That any person applying for the same shall be entitled to copies duly certified of all the foregoing papers required to be filed upon payment of the customary fees, and the same shall be admitted in the Courts as competent evidence of all matters appearing thereon.

And received in evidence.

Penalty for failure.

SEC. 5. That any such foreign corporation failing to file any of the papers hereinbefore required to be filed shall be liable to an indictment for such failure, and upon conviction thereof shall be fined in not exceeding five hundred dollars, at the discretion of the Court, and shall be prohibited from further carrying on business in this State until such fine is paid and this Act complied with.

Punishment.

Administration of assets of foreign corporation.

SEC. 6. That it shall and may be lawful for any Court of competent jurisdiction in this State to take possession of, wind up, administer and marshal the assets in this State of any such foreign corporation (in like manner and in like cases as by law may be done with respect to corporations chartered under the laws of the State) for the protection of any and all citizens of this State who may be stockholders or creditors of such foreign corporations, as in the case of legatees and creditors (citizens of this State) of deceased persons whose domicile was at the time of their decease outside this State in respect to assets within this State.

Subject to laws.

SEC. 7. That all and every such foreign corporation carrying on business or owning property in this State shall be subject to the laws of the same in like manner as corporations chartered under the laws of this State, but nothing herein contained shall be construed to permit any such foreign corporation to exercise any franchise or enjoy any privilege or immunity other than the right to own property and carry on business in like manner as individuals, natural born citizens of such State of the United States or of foreign countries, might do, and subject to the terms and conditions of this Act.

Limitations.

Repealing clause.

SEC. 8. All Acts and parts of Acts in any wise contradictory of or inconsistent with this Act are hereby repealed.

Approved December 20th, A. D. 1893.

A. D. 1893.
No. 299.

AN ACT TO AMEND SECTION ONE OF AN ACT ENTITLED "AN ACT TO LIMIT THE PUNISHMENT OF PERSONS CONVICTED OF THE FOLLOWING MISDEMEANORS, NAMELY: CARRYING CONCEALED WEAPONS, SELLING PROPERTY UNDER LIEN WHEN THE PROPERTY MAY NOT EXCEED TWENTY DOLLARS IN VALUE, MALICIOUS TRESPASS, MALICIOUS MISCHIEF, DISTURBING RELIGIOUS MEETINGS, AND RIOTS WHERE NO WEAPONS ARE ACTUALLY USED OR WOUNDS INFLICTED," SO AS TO INCLUDE IN SAID SECTION LARCENY OF LIVE STOCK AND CROPS FROM THE FIELD, AND OBTAINING PROPERTY UNDER FALSE PRETENSES WHEN NOT OVER THE VALUE OF TWENTY DOLLARS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to limit the punishment of persons convicted of the following misdemeanors, namely: Carrying concealed weapon, selling property under lien when the property does not exceed twenty dollars in value, malicious trespass, malicious mischief, disturbing religious meetings, and riots where no weapons are actually used or wounds inflicted," be, and the same is hereby, amended in the sixteenth line of Section 1 thereof by inserting after the word "lien" in said line the words "larceny of live stock and crops from the field, obtaining property under false pretenses." So that said Section shall read as follows:

A. A. 1892, §1, ante 93, amended.

Amendments.

SECTION 1. That on and after the passage of this Act any person, upon conviction of any one of the following named misdemeanors, shall be subject and liable for each offense to a fine not to exceed one hundred dollars, or to imprisonment for a term not exceeding thirty days, to wit: Carrying concealed about the person any deadly weapon, such as are enumerated in Section 2472 of the General Statutes, disturbing a religious meeting in any way, or otherwise violating the provisions of Section 1635 of the General Statutes, when no weapons were actally used and no wounds inflicted; all riots, routs and affrays where no weapons were actually used and no wounds inflicted; malicious mischief and malicious trespass as contemplated in Section 2500 and 2501 of the General Statutes, when the damage to such property does not exceed twenty dollars; disposing of property under lien; larceny of live stock and crops from the field, or obtaining prop-

Section as amended.

Punishment.

Offenses enumerated.

A. D. 1893.

erty under false pretenses, when the value of such property so disposed of, stolen or obtained, respectively, does not exceed five dollars.

Repealing clause.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 20th, A. D. 1893.

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No. 300. AN ACT TO REQUIRE THE RECORDING OF DEEDS OF CONVEYANCE, LEASES, MORTGAGES AND OTHER INSTRUMENTS IN WRITING IN RELATION TO RAILWAY PROPERTY IN THE OFFICE OF THE SECRETARY OF STATE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all

Deeds, &c., of railroads to be recorded.

deeds of conveyance of railroad beds, tracks and right of way, cars, locomotive engines, rolling stock and other railway equipment, all leases and mortgages or other conditional sales of, and all other instruments in writing relating to, such property in this State delivered or executed on or after the first day of January, 1894, shall be valid, so as to affect from the time of such delivery or execution the rights of subsequent creditors or purchasers for valuable consideration without notice, only when recorded within forty days from the execution and delivery

In Secretary of State's office.

thereof in the office of the Secretary of State: *Provided, nevertheless*, That the above mentioned deeds, leases, mortgages and other conditional sales and instruments in writing, if recorded

Good from date of record.

subsequent to the expiration of said period of forty days, shall be valid to affect the rights of subsequent creditors and purchasers for valuable consideration without notice only from the date of such record.

Engines and cars to be marked.

SEC. 2. That each and every locomotive engine, car and other railway equipment shall have the name of the vendor, lessor, bailor or mortgagor plainly marked on each side thereof, followed by the word "owner," "lessor," "bailor" or "mortgagor," as the case may be; and each deed of conveyance, lease, conditional

Deeds, &c., to refer to marks.

sale and mortgage of such railroad property shall contain such a description thereof as will correspond to the name so marked thereon.

A. D. 1893.

Probate.

SEC. 3. Before such deeds, leases, mortgages and other instruments in writing can be recorded by the Secretary of State, the execution thereof shall first be proved by the affidavit in writing of a subscribing witness to such instrument, in the same manner prescribed for the probate of deeds by Section 1777 of the General Statutes of this State in relation to the recording of deeds in the office of Register of Mesne Conveyances of the several Counties of this State.

Books of record.

SEC. 4. That said conveyances, leases and mortgages and other instruments in writing shall be recorded by the Secretary of State in books to be kept by law for that purpose in his office, and for such recording he shall receive from the party offering such papers for record the same fees allowed by law for similar work to Register of Mesne Conveyances.

Fees for recording.

Certified copy receivable in evidence.

SEC. 5. That a certificate or certified copy by the Secretary of State shall be competent evidence of such record and of the facts contained in each deed, lease and mortgage or other instrument in writing so recorded and certified in all of the Courts of this State.

Entry of satisfaction.

SEC. 6. That where any such mortgage so recorded shall be fully satisfied, the mortgagee shall note the same on the margin of the record, or declare the same to be satisfied in a separate instrument in writing, to be recorded as above provided, under a penalty of five hundred dollars, to be recovered in any Court of competent jurisdiction at the suit of the mortgagor or his assignees, or any other party aggrieved thereby.

Penalty for neglect.

Repealing clause.

SEC. 7. That so much of Section 2346 of the General Statutes of this State of 1882 as is inconsistent with this Act, and all other Acts or parts of Acts inconsistent therewith, be, and the same are hereby, repealed.

Approved December 20th, A. D. 1893.

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## AN ACT TO DIVIDE THE STATE OF SOUTH CAROLINA INTO SEVEN CONGRESSIONAL DISTRICTS. No. 301.

First District.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, The First Congressional District shall be composed of the Counties of Charleston, Georgetown, Beaufort, and of the townships of An-

A. D. 1893.

derson, Hope, Indian, Kings, Laws, Mingo, Penn, Ridge, Sutton and Turkey of the County of Williamsburg, the townships of Collins, Adams Run, Glover, Frazier, Lowndes and Blake of the County of Colleton, and all of the County of Berkeley except such townships as are embraced in the Seventh Congressional District below.

Second District. The Second Congressional District shall be composed of the Counties of Hampton, Barnwell, Aiken and Edgefield.

Third District. The Third Congressional District shall be composed of the Counties of Abbeville, Newberry, Anderson, Oconee and Pickens.

Fourth District. The Fourth Congressional District shall be composed of the Counties of Greenville, Laurens and Fairfield; all of the County of Spartanburg except the townships of White Plains and Limestone Springs; all of the County of Union except the townships of Gowdeysville and Draytonville, and of the townships of Centre, Columbia and Upper of the County of Richland.

Fifth District. The Fifth Congressional District shall be composed of the Counties of York, Chester, Lancaster, Chesterfield, Kershaw, and the townships of White Plains and Limestone Springs of the County of Spartanburg, and the townships of Gowdeysville and Draytonville of the County of Union.

Sixth District. The Sixth Congressional District shall be composed of the Counties of Clarendon, Darlington, Marlboro, Marion, Florence, Horry, and the townships of Lake, Lee's, Johnson's and Sumter, and the town of Kingtree in the County of Williamsburg.

Seventh District. The Seventh Congressional District shall be composed of the Counties of Lexington, Orangeburg, Sumter, the townships of Bell's, Giveham's, Burns, George, Cain, Dorchester, Heyward, Koger, Sheredon, Verdier, Broxton's and Warren of the County of Colleton; and the townships of St. James Goose Creek, St. John's Berkeley and St. Stevens of the County of Berkeley, and Lower Township of the County of Richland.

Report by Board of Canvassers. SEC. 2. In every case in which under the provisions of this Act the townships of any County may not all be in the same Congressional District, it shall be the duty of the proper Board of Canvassers of such County in canvassing the votes of said County to report separately the results of the vote of such townships for the Congressional District to which it may belong.

Separate boxes at border precincts. SEC. 3. In any case in which a voting precinct may form part of more than one Congressional District, if no other provision be made by law, the Commissioners of Election for the County in which such precinct is situated shall provide for such precinct

separate boxes for every Congressional District within which the said precinct may be, and each voter at such precinct shall deposit his ballot for member of Congress in the box provided for the Congressional District within the limit of which said voter may reside. A. D. 1893.

SEC. 4. That all Acts and parts of Acts inconsistent herewith are hereby repealed. Repealing clause.

SEC. 5. That this Act shall take effect on the first of September, (1894) eighteen hundred and ninety-four. When to take effect.

Approved December 22d, A. D. 1893.

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A JOINT RESOLUTION TO EXTEND THE TIME FOR PAYMENT OF TAXES IN BEAUFORT AND GEORGETOWN COUNTIES, AND IN CERTAIN SECTIONS OF CHARLESTON, COLLETON, HORRY AND BERKELEY COUNTIES. No. 302.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller be, and he hereby is, directed to extend for a period of twelve months the payment of taxes in and for the Counties of Georgetown and Beaufort, and so much of the Counties of Colleton and Berkeley lying South of the Charleston and Savannah Railway, James Island and the Parish of St. James Santee in Charleston County, and all persons who lost their crops or suffered damages by the late storm and are unable to pay their taxes in Horry County: *Provided*, That the benefits of such extension shall not apply to phosphate mines, fertilizer manufacturers and other corporations engaged in business within said territory. Time extended. Territory embraced. Exceptions.

SEC. 2. That so much of Section 8 of an Act to raise supplies and make appropriations for the fiscal year commencing November 1st, 1892, as conflicts with this Act is hereby repealed. Repealing clause. Ante 44.

Approved December 22d, A. D. 1893.

A. D. 1893.
No. 303.

A JOINT RESOLUTION AUTHORIZNG AND REQUIRING THE COMPTROLLER-GENERAL OF THIS STATE TO DRAW HIS WARRANT ON THE STATE TREASURER FOR THE SUM OF TWO THOUSAND DOLLARS FOR THE TRUSTEES OF THE SOUTH CAROLINA INDUSTRIAL AND WINTHROP NORMAL COLLEGE, AND THE STATE TREASURER TO PAY THE SAME.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

Comptroller-General to draw warrant.

Comptroller-General of this State be, and he is hereby, authorized and required to draw his warrant on the State Treasurer for the sum of two thousand dollars in favor of the Trustees of the South Carolina Industrial and Winthrop Normal College to pay

Purposes.

for services of expert teachers, additional expert teacher and a piano, which were appropriated by the Bill passed at the last session of the General Assembly.

Payment.

SEC. 2. That the State Treasurer do pay the same.

Approved December 20th, A. D. 1893.

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No. 304. AN ACT TO REDUCE THE SALARIES OF THE STATE OFFICERS, CLERKS AND EMPLOYEES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Scale of salaries

the following officers in this State shall receive the following annual salaries, and no other compensation, to wit: The Gover-

Governor and his officers, &c.

nor, three thousand dollars; Lieutenant-Governor, during the session of the General Assembly, a per diem of eight dollars and the mileage of a member of the General Assembly; Governor's Private Secretary, thirteen hundred and fifty dollars; Governor's

Secretary of State.

Messenger, four hundred dollars; Secretary of State and Keeper of State House and Grounds, nineteen hundred dollars; Clerk of Secretary of State, thirteen hundred and fifty dollars; Comp-

Comptroller-General.

troller-General, nineteen hundred dollars; Chief Clerk, fourteen hundred dollars; Pension Clerk and Bookkeeper of Comptroller-General, thirteen hundred and fifty dollars; State Treasurer, nineteen hundred dollars; Chief Clerk, fifteen hundred dollars;

State Treasurer.

two Bookkeepers in office of Treasurer, each thirteen hundred

A. D. 1893.

and fifty dollars; Superintendent of Education, nineteen hundred dollars, (also two hundred dollars for traveling expenses, if so much be necessary); Clerk of Superintendent of Education, six hundred dollars; Adjutant and Inspector-General, twelve hundred dollars; Clerk of Adjutant and Inspector-General, nine hundred dollars; Attorney-General, nineteen hundred dollars; Assistant Attorney-General, thirteen hundred and fifty dollars; Chief Justice and Justices of the Supreme Court, each three thousand dollars; and Circuit Judges, each three thousand dollars; Clerk of the Supreme Court, eight hundred dollars; Librarian of Supreme Court, eight hundred dollars; Messenger and Attendant of Supreme Court, each two hundred dollars; the Reporter of the Supreme Court, nine hundred dollars; Superintendent of the Penitentiary, nineteen hundred dollars; Physician and Captain of Guard at Penitentiary, each one thousand and fifty dollars; Chaplain of Penitentiary, six hundred dollars; Directors of Penitentiary, each four dollars per diem for each day of attendance on the meetings of the Board and five cents per mile by most direct route going to and returning from said meetings; Superintendent and Physician of Lunatic Asylum, three thousand dollars; members of Board of Regents, each four dollars per diem for each day of attendance on the meetings of the Board and five cents per mile by most direct route going to and returning from said meetings; Solicitors, thirteen hundred and fifty dollars each, except the Solicitor of the First Circuit, who shall receive a salary of sixteen hundred dollars, also the same per diem and mileage as members of the General Assembly while in attendance upon the sessions thereof; State Librarian, one thousand dollars; members of the Senate and House of Representatives, each four dollars per diem during any regular or special session, and ten cents per mile going to and returning therefrom by most direct route; Clerk of Senate, eight hundred dollars; Assistant Clerk of Senate, two hundred and fifty dollars; Reading Clerk of Senate, two hundred and fifty dollars; Sergeant-at-Arms of Senate, two hundred dollars; Clerk of House of Representatives, eight hundred dollars; Assistant Clerk, two hundred and fifty dollars; Sergeant-at-Arms of House of Representatives, two hundred dollars; Reading Clerk of House of Representatives, two hundred and fifty dollars; Bill Clerk of the Senate, four dollars per day; Bill Clerk of the House of Representatives, four dollars per day; Journal Clerk of the Senate, four dollars per day during the sit-

Superintendent of Education.

Adjutant and Inspector-General.

Attorney-General.

Chief Justice and Judges.

Supreme Court officers, &c.

Penitentiary officers.

Lunatic Asylum officers, &c.

Solicitors.

State Librarian.

Members of General Assembly.

Officers and employees.

A. D. 1893.

ting of the General Assembly and four dollars per day for each day of work done after the adjournment of the General Assembly, provided the number of days of work after adjournment does not exceed twenty; Journal Clerk of the House of Representatives, four dollars per day during the sitting of the General Assembly and four dollars per day for each day for work done after the adjournment of the General Assembly, provided the number of days after adjournment does not exceed twenty; Clerks in the Engrossing Department, each four dollars per day; Railroad Commissioners, each nineteen hundred dollars, to be paid as now provided by law: *Provided*, That in case of an extra session or sessions of the General Assembly the Sergeant-at-Arms, Clerk, Assistant Clerk and Reading Clerk shall receive the same mileage and per diem of a member of the General Assembly.

Railroad Commissioners.

Extra sessions of Legislature.

Existing salaries.

SEC. 2. That so much of Section 1 as refers to the salaries of the Governor, Lieutenant-Governor, Chief Justice and Associate Justices of the Supreme Court, and the Circuit Judges of the State, and the State Treasurer, shall not take effect until the successors in office of the present incumbents of said offices shall be commissioned.

When to take effect.

SEC. 3. This Act shall go into effect from and after the first day of January, 1894.

Approved December 22d, A. D. 1893.

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No. 305. AN ACT RELATING TO THE PHOSPHATE INDUSTRY OF THIS STATE.

Preamble.

*Whereas* the destruction of the phosphate plants by the cyclone of the 27th of August, 1893, has rendered it necessary, and for the interest of the State, that some new arrangement with regard to the royalty be made in order that the parties heretofore mining in the navigable streams and waters of this State may be able to rebuild their plants and resume operation; *and whereas* the said parties heretofore mining are willing to make the large expenditures necessary to repair their plant if some new arrangement is made with regard to the said royalty, such arrangement to remain unchanged for a fixed period from the date of the passage of this Act;

A. D. 1893.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State of South Carolina does hereby agree, with all the aforesaid parties so repairing their plants destroyed as aforesaid, that for the period of five years from and after the passage of this Act the royalty to be paid to the State on all phosphate rock dug, mined and removed and shipped or otherwise sent to market from the navigable streams and waters of this State shall be at the rate of fifty cents per ton of dried rock, and so long as the price of the said phosphate rock free on board to the said miners, at their several mines, shall be four dollars per ton or under; but in case from time to time there shall be any increase in such price over and above four dollars per ton and up to four and one-half dollars, then and in every such case there shall be paid to the State an additional royalty per ton equal to one-third of such increased price from four dollars and up to four and one-half dollars per ton; and in case such price shall increase above four and one-half dollars per ton, then upon all such increase over four and one-half dollars, such additional royalty to be paid to the State shall be equal to fifty per cent. of such increased price over four and one-half dollars and the Board of Phosphate Commissioners are hereby authorized and empowered to adopt such rules and regulations as they may find necessary to properly ascertain and fix the price of said rock.

Royalty fixed for 5 years at 50 cents a ton.

Scale of royalty if price of rock increases.

Rules and regulations.

SEC. 2. The said rate of royalty herein fixed shall apply to all phosphate rock on hand unshipped on the first day of September, 1893, and shall continue and remain unchanged during the period aforesaid and until the action of the General Assembly of this State thereafter.

Rock on hand.

SEC. 3. That nothing in this Act contained shall be so construed as to limit the power now conferred by law on the Board of Phosphate Commissioners to grant licenses to mine in the navigable streams and waters of this State to any other person or corporation than those referred to in this Act on such terms as they may deem advisable.

New companies excepted.

SEC. 4. That this Act shall go into effect upon and immediately after the date of its approval.

When to take effect.

Approved December 22d, A. D. 1893.

A. D. 1893. No. 306. AN ACT TO PROVIDE FOR THE FUNDING OF THE VALID PRINCIPAL AND INTEREST OF CERTAIN OUTSTANDING BONDS AND STOCK OF THE STATE OF SOUTH CAROLINA INTO THE NEW 4½ PER CENT. "REDEMPTION OF BROWN CONSOL BONDS AND STOCK."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Old bonds declared fundable.

the State Treasurer be, and he is hereby, authorized and instructed to receive from the holders thereof who may surrender the same all coupon bonds and certificates of stock now fundable in Brown Consols under the Act of 1873, as amended in 1879 and 1880, and other Acts authorizing the issue of said Brown Consols, and which are referred to in the State Treasurer's Annual Report, 31st October, 1893, and shall thereupon, in exchange for and in lieu of the valid principal of said bonds and certificates of stock so surrendered, together with the valid and unpaid interest on the same to July 1st, 1893, issue to said

Ante 24.

holder other coupon bonds or certificates of stock of the kind issued under Act approved December , 1892, and known as

In 4½ per cent. bonds.

Brown 4½ Per Cent. "Redemption Brown Consols," of face value equal to said valid principal and interest to July 1st, 1893, upon the terms set forth in Act of 1873 as amended 1879–'80.

Repealing clause.

SEC. 2. That so much of all the Acts of 1873, 1879, 1880, and other Acts authorizing the issue of said Brown Consols, as are inconsistent with this Act be, and the same are hereby, repealed.

Approved December 22d, A. D. 1893.

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No. 307. AN ACT TO PROVIDE FOR THE SELECTION OF A PUBLIC PRINTER AND TO REGULATE THE AWARDING OF CONTRACTS FOR PUBLIC PRINTING.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Election of State Printer.

the General Assembly shall biennially elect a State Public Printer,

Term of office.

whose term of office shall be two years, which shall begin with the expiration of the term of the present contract for State printing, and until his successor shall have been duly elected

and shall have qualified in the manner prescribed by law, and who shall receive for the public printing, during such period, the following compensation to wit: A. D. 1893.

Compensation.

50 copies per day Senate Calendar, at 80 cents per page.
150 copies per day House Calendar, at 80 cents per page.
50 copies per day Senate Journal, at 80 cents per page.
150 copies per day House Journal, at 80 cents per page.
50 copies per day Senate Resolutions, at 80 cents per page.
150 copies per day House Resolutions, at 80 cents per page.
50 copies per day Senate Bills, at $1.25 per page.
150 copies per day House Bills, at $1.40 per day.
1,500 copies Governor's Message, at 75 cents per page.
600 copies Report Comptroller-General, at 95 cents per page.
300 copies Reports other State officials, at 90 cents per page.
300 copies Reports Public Institutions, at 80 cents per page.
2,500 copies Acts and Joint Resolutions, at $4 per page.
500 copies Senate Journals, at $1 per page.
500 copies House Journals, at $1 per page.
500 copies Reports and Resolutions, at 80 cents per page.

Rule and figure work a price and two-thirds. All other work not embraced in above schedule to be done at corresponding figures.

Acceptance to constitute a contract.

SEC. 2. That upon the election of said Public Printer, and his filing with the Secretary of State his acceptance of the terms of this Act and giving the bond required by law, the said acceptance shall constitute a contract between him and the State.

Bond and duties.

SEC. 3. That the bond and duties of the Public Printer shall remain the same as now required by law.

Vacancy.

SEC. 4. That should the State Printer so elected die during the interim between the sessions of the General Assembly, or default during said time, then another Public Printer shall be appointed by the Governor and Chairman of the Committees of Printing of the Senate and House of Representatives, to hold his office until the General Assembly elect his successor.

How filled.

Repealing clause.

SEC. 5. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

When to take effect.

SEC. 6. That this Act shall take effect immediately upon its approval.

Approved December 22d, A. D. 1893.

A. D. 1893.
No. 308.

AN ACT TO MAKE APPROPRIATIONS FOR THE PAYMENT OF THE PER DIEM, MILEAGE AND STATIONERY CERTIFICATES OF THE MEMBERS OF THE GENERAL ASSEMBLY, THE SALARIES OF THE SUBORDINATE OFFICERS AND EMPLOYEES THEREOF, AND FOR OTHER PURPOSES HEREIN NAMED.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

General appropriation clause.

the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the General Assembly at its regular session beginning on the twenty-eighth day of November, 1893, to the close of the session, and for other purposes herein named, as is more specifically indicated in the several succeeding Sections of this Act, that is to say:

## SENATE.

Senate expenses.

SEC. 2. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to pay the expenses of the Senate from the twenty-eighth day of November, 1893, inclusive, to the close of the session, as follows:

President and members.

For the per diem, mileage and stationery certificates of the members of the Senate and the presiding officer thereof, if so much be necessary, six thousand and five hundred dollars; for

Clerk and Assistant.

the pay of Sampson Pope, Clerk of the Senate, one thousand dollars; for the pay of R. M. McCown, Assistant Clerk of the Senate, two hundred and fifty dollars; for the pay of J. T.

Journal Clerk.

Gantt, Journal Clerk of the Senate, one hundred and thirty dollars, and four dollars per day for the number of days he may be actually engaged in the work of the Senate after the adjournment thereof, not to exceed twenty days, said number of days of such engagement to be certified by the said Journal Clerk; for

Reading Clerk.

the pay of F. C. Caughman, Reading Clerk of the Senate, two hundred and fifty dollars; for the pay of J. C. Elliott, Sergeant-

Sergeant-at-Arms.

at-Arms of the Senate, two hundred and fifty dollars; for the

Bill Clerk.

pay of W. J. Moore, Bill Clerk of the Senate, one hundred and

Committee Clerks.

thirty dollars; for the pay of B. McLure, Clerk of the Judiciary Committee of the Senate, one hundred and thirty dollars; for the pay of J. H. Thomas, Clerk of the Finance Committee of the Senate, one hundred and thirty dollars; for the pay of W. H. Meetze, Clerk of Committee of Roads, Bridges and Ferries, one hundred and thirty dollars; for the pay of J. W. Boyd, Gen-

eral Committee Clerk of the Senate, one hundred and thirty dollars; for the pay of H. B. Crossland, Clerk of the Committee on Railroads and Incorporations of the Senate, one hundred and thirty dollars; for the pay of Thomas Whittle, W. B. Going, John W. Rector and H. R. McManus, Doorkeepers of the Senate, each, seventy-eight dollars; for the pay of David Irons, Mingo White and Sam Austin, Laborers of the Senate, each, fifty-two dollars; for the pay of Calhoun Butler, Porter in the office of the Clerk of the Senate, and Keeper of the President of the Senate's Room, seventy-eight dollars; for the pay of J. A. Carnes and W. W. Lazzenberry, Porters to the Committee Rooms of the Senate, each, fifty-two dollars; for the pay of W. L. Hemphill and John Davis, Pages of the Senate, each, fifty-two dollars; for the pay of N. O. Pyles, Mail Carrier of the Senate, seventy-eight dollars; for the pay of Rev. P. Pinckney Blalock, Chaplain of the Senate, fifty dollars; for the incidental or contingent fund of the Senate, six hundred dollars if so much be necessary, to be paid on certificates drawn by the President of the Senate and attested by the Clerk of the Senate on accounts audited by the Committee on Contingent Accounts and passed by the Senate: *Provided*, That no part of said contingent fund be used in giving extra pay to any of the employees of the Senate.

Doorkeepers.

Laborers and other employees

Pages.

Mail Carrier.

Chaplain.

Contingent fund.

No extra pay.

## House of Representatives.

Sec. 3. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to pay the expenses of the House of Representatives from the twenty-eighth day of November, 1893, inclusive, to the close of the session, as follows:

Expenses of House of Representatives.

For the per diem, mileage and stationery certificates of the members of the House of Representatives, twenty-three thousand dollars; for the pay of J. Walter Gray, Clerk of the House of Representatives, one thousand dollars; for the pay of S. W. Vance, Assistant Clerk of the House of Representatives, two hundred and fifty dollars; for the pay of Geo. R. Koester, Journal Clerk of the House of Representatives, one hundred and thirty dollars, and four dollars per day for the number of days he may be actually engaged in the work of the House of Representatives after the adjournment thereof, not to exceed twenty days, said number of days of such engagement to be certified by said Journal Clerk; for the pay of J. S. Withers, Reading Clerk of the House of Representatives, two hundred and fifty dollars;

Members.

Clerk and Assistant.

Journal Clerk.

Reading Clerk.

A. D. 1893.

for the pay of N. H. Stansell, Sergeant-at-Arms of the House of Representatives, two hundred and fifty dollars; for the pay of T. C. Hamer, Bill Clerk of the House of Representatives, one hundred and thirty dollars; for the pay of S. W. Scruggs, Clerk of the Committee of Ways and Means of the House of Representatives, one hundred and thirty dollars; for the extra pay of S. W. Scruggs, Clerk of the Committee of Ways and Means of the House of Representatives, for work done after the adjournment of the General Assembly of 1892, forty dollars; for the pay of W. H. McFeat, Clerk of the Judiciary Committee of the House of Representatives, one hundred and thirty dollars; for the pay of F. A. Carwile, Clerk of Committee on Incorporations, seventy-eight dollars; for the pay of C. L. Bull, Clerk of the Committee on Claims and Enrolled Acts, one hundred and thirty dollars; for the pay of Richard R. Owings, Peter Sanders and Walter Nixon, Doorkeepers of the House of Representatives, each, seventy-eight dollars; for the pay of Joseph J. Moorman, Wm. C. Elder, Geo. Swearinger and Geo. D. Jeffries, Pages of the House of Representatives, each, fifty-two dollars; for the pay of Louis Butler, Wm. Young, Counts Cross and Casper Watts, Laborers of the House of Representatives, each, fifty-two dollars; for the pay of West Oliphant, James Adamson and Henry Wherry, Porters of the Committee Rooms of the House of Representatives, each, fifty-two dollars; for the pay of Young H. Vance, Keeper of the Speaker's Room, seventy-eight dollars; and ten dollars extra to James Adamson for extra services to the Committee on Agriculture; for the pay of A. C. Anderson, Mail Carrier of the House of Representatives, seventy-eight dollars; for the pay of Rev. E. A. Wingard, Chaplain of the House of Representatives, fifty dollars; for the incidental or contingent fund of the House of Representatives, five hundred dollars, if so much be necessary, to be paid on certificates drawn by the Speaker of the House of Representatives, and attested by the Clerk of the House of Representatives, on accounts audited by the Committee on Contingent Accounts and passed by the House of Representatives: *Provided*, That no part of said contingent fund be used to give extra pay to any of the employees of the House of Representatives.

Sergeant-at-Arms. Bill Clerk.

Committee Clerks.

Doorkeepers.

Pages.

Laborers and other employees

Mail Carrier.

Chaplain.

Contingent fund.

No extra pay.

## Engrossing Department.

Expenses of Engrossing Department.

Sec. 4. That the sum of four thousand three hundred and thirty-two dollars, if so much be necessary, be, and the same is

hereby, appropriated to pay the expenses of the Engrossing Department of the General Assembly from the twenty-eighth day of November, 1893, inclusive, to the close of the session, as follows: A. D. 1893.

For the pay of J. M. Johnson, M. F. Ansel, M. J. Hough, G. Duncan Bellinger, P. H. Nelson, W. St. J. Jervey, Jno. S. Wilson and O. L. Schumpert, each, five dollars per day for each day in actual attendance upon the session of the General Assembly, Solicitors in the (Engrossing Department) office of the Attorney-General; for the pay of F. F. Covington, J. R. Hix, J. D. Epps, W. M. Hamer, B. F. Townsend, Miss Rachael Hemphill, E. J. Alsobrooks, C. G. Bruce, W. B. Lyles, F. G. Tompkins, Wm. Gaston, Miss Inez Cooper, P. N. Timmerman, J. W. Mixon, Miss Leila Shelton, H. C. Jordan, J. D. Alsobrooks, W. G. Hinnant, O. W. Breazeale, T. C. Hough, G. P. Smith, E. E. Smith, Miss K. H. Brooks, D. F. McGingan, D. F. Rodgers, D. H. Witherspoon, Edgar Stalsey and W. C. McAllister, Clerks in the (Engrossing Department) office of the Attorney-General, each, five dollars per day for the time actually employed. To pay the mileage of the Circuit Solicitors, as follows: J. M. Johnson, twenty and 60-100 dollars; M. F. Ansel, twenty-eight and 80-100 dollars; M. J. Hough, twenty-one dollars; G. Duncan Bellinger, nineteen and 40-100 dollars; P. H. Nelson, thirteen dollars; W. St. J. Jervey, twenty-six dollars; Jno. S. Wilson, twelve and 20-100 dollars; O. L. Schumpert, nine and 40-100 dollars. For the pay of N. O. Pyles, Mail Carrier of the (Engrossing Department) office of the Attorney-General, fifteen dollars; for the pay of James Williams, Porter of the (Engrossing Department) office of the Attorney-General, fifty-two dollars; for the pay of Andrew Moffit, Flag Keeper, fifty-two dollars; for the pay of John H. Clarkson, temporary Special Assistant to the Keeper of the State House, fifty-two dollars; to be paid on the joint certificate of both Houses of the General Assembly, signed by the presiding officers thereof and attested by the Clerks. For the incidental or contingent expenses of the Engrossing Department, two hundred dollars, if so much be necessary, to be paid on certificates drawn by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives on accounts audited by the Committee on Accounts of the House of Representatives and passed by the House of Representatives.

Solicitors.

Engrossing Clerks.

Mileage of Solicitors.

Mail Carrier.

Porter.

Flag Keeper.

Special Assistant.

Contingent expenses.

A. D. 1893.

MISCELLANEOUS.

Miscellaneous expenses.

SEC. 5. That the following sums, if so much be necessary, be, and the same are hereby, appropriated for miscellaneous expenses, namely: For preparing for the printer, indexing and making marginal notes of the Acts and Joint Resolutions of the regular session of the General Assembly of 1893, to be done under the supervision of the State Reporter, two hundred and fifty dollars.

Preparing Acts for publication.

Pay certificates.

SEC. 6. That the President of the Senate and Speaker of the House of Representatives, respectively, shall furnish pay certificates for the amount of per diem and mileage due to each member of the Senate and House of Representatives, and the amounts herein appropriated, to each officer and employee of that branch of the General Assembly to which such officer and employee shall respectively belong, signed by the respective officer, and properly attested by the Clerks of such branch of the General Assembly.

When to take effect.

SEC. 7. That this Act shall take effect from and immediately after its date of approval; and all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are, for the purposes of this Act, hereby repealed.

Repealing clause.

Approved December 22d, A. D. 1893.

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No. 309. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR A LICENSE FOR THE SALE OF PISTOLS OR PISTOL CARTRIDGES WITHIN THE LIMITS OF THIS STATE."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to provide for a license for the sale of pistols or pistol cartridges within the limits of this State" be amended by striking out the words "two hundred," in the sixth line thereof, and inserting in lieu thereof the words "twenty-five." So that said Section when so amended shall read as follows and all Acts amendatory thereof:

A. A. 1890, §2, 20 Stat., 653, amended.

Amendment.

Section as amended.

SECTION 2. That the County Commissioners of the several Counties of the State be, and they are hereby, authorized to issue licenses in their respective Counties for the sale of pistols

Licenses.

and pistol cartridges upon the payment to County Treasurer by the person or corporation so applying for said licenses of the sum of twenty-five dollars annually. A. D. 1893. License fee.

Approved December 22d, A. D. 1893.

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AN ACT PROVIDING THAT ALL THE PROVISIONS OF AN ACT ENTITLED "AN ACT FOR THE FURTHER PROTECTION OF PARTRIDGES, QUAIL, WOODCOCK AND PHEASANTS, DEER OR WILD TURKEYS IN BEAUFORT COUNTY," APPROVED DECEMBER 22ND, 1892, SHALL APPLY TO ALL THE COUNTIES OF THE STATE. No. 310.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act for the further protection of partridges, quails, woodcock, pheasants, deer and wild turkeys in the County of Beaufort" be, and the same is hereby, amended by striking out all after the enacting clause and inserting the following: That an Act entitled "An Act for the further protection of partridges, quail, woodcock, pheasant, deer and wild turkeys in the County of Beaufort" be amended by striking out the words "County of Beaufort" whenever they occur in the Act or in the title thereof and inserting "State" in lieu thereof. A. A. 1892, ante 177, amended. Extended to whole State.

SEC. 2. That for the space of ten years from the date of the passage of this Act it shall be unlawful to shoot or kill at any time any Mongolian or ring-neck pheasants under the penalties provided in this Act. Killing of pheasants prohibited.

Approved December 22, A. D. 1893.

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AN ACT TO PROVIDE FOR THE MORE COMPLETE PREPARATION OF THE CIVIL STATUTES, CRIMINAL STATUTES AND CODE OF CIVIL PROCEDURE, AND FOR THE DISTRIBUTION AND SALE OF THE SAME, AND FOR ADDITIONAL COMPENSATION FOR COMMISSIONER. No. 311.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1893. in General Assembly, and by the authority of the same, That
Commissioner. J. E. Breazeale, Commissioner, appointed under the provisions of an Act entitled "An Act relating to the revision, digest and arrangement of the Statute Laws of the State," approved December 24, 1892, be, and he is hereby, instructed to superintend the printing thereof in permanent form in two volumes, one volume to contain the Civil Statutes and one volume to contain the Code of Civil Procedure and the Criminal Statutes and the Constitution of the United States and the Constitution of this State and the Rules of Court.

Ante 103.

To prepare Civil Statutes, &c., for publication.

Acts, &c., of present session. SEC. 2. That said Commissioner be, and he is hereby, authorized and instructed to embody in the said volumes, without alteration or amendment, such Acts and Joint Resolutions passed and approved at the present session of the General Assembly of a general and permanent character.

Enumeration by Sections. SEC. 3. That the said Commissioner be, and he is hereby, authorized to enumerate the subdivisions of said Statutes and said Code, and all such Acts and parts of Acts, Joint Resolutions and parts of Joint Resolutions as he may embody therein, correcting any enumerations in Sections of the said Statutes and Code as may become necessary by reason of any change or changes therein by action of the General Assembly, either in expunging Sections or in adding Sections during the passage thereof, or by the embodying therein of Acts or Joint Resolutions, or parts thereof, as aforesaid.

Necessary changes.

Annotations. SEC. 4. That the said Commissioner shall include in said volumes a complete annotation of the decisions of the Supreme Court of this State construing any portion of said Statutes or of said Code, or of said Constitutions and Rules of Court.

Distribution and disposition. SEC. 5. That the State Printer shall furnish the entire edition, to wit, two thousand copies thereof, to the Secretary of State, who shall furnish each member of the General Assembly with a copy thereof bound in calf, distribute and provide for the sale of the remaining copies thereof in the same manner as the distribution and sale of the General Statutes of 1882 was provided for in an Act entitled "An Act to provide for the distribution and sale of the General Statutes of the State," approved February 9, A. D. 1883: *Provided*, That the Secretary of State shall deliver to the State Librarian a sufficient number of said volumes bound in calf to make exchanges with other States and Territories and to supply the officers and libraries designated in Section 40 of the General Statutes and in the Acts amending the same, except

17 Stat., 1091.

Proviso.

such officers and libraries as are provided in the Act above mentioned to be supplied by the Secretary of State. A. D. 1893.

SEC. 6. That J. E. Breazeale, Commissioner, be paid the sum of five hundred dollars as full compensation for the work hereinbefore imposed on him. Compensation of Commissioner.

Approved December 22d, A. D. 1893.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROHIBIT EMIGRANT AGENTS FROM PLYING THEIR VOCATION IN THIS STATE WITHOUT FIRST OBTAINING A LICENSE THEREFOR, AND FOR OTHER PURPOSES," APPROVED 24TH OF DECEMBER, A. D. 1891. No. 312.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to prohibit emigrant agents from plying their vocation in this State without first obtaining a license therefor, and for other purposes," approved 24th December, 1891, be, and the same is hereby, amended by striking out all of the said Act after the enacting words and inserting in lieu thereof the following, to wit: A. A. 1891, 20 Stat., 1084, amended. Amendment.

SECTION 1. That from and after the approval of this Act no person shall carry on the business of emigrant agent in this State between the 1st day of January and the 1st day of July of any year without having first obtained a license therefor from the State Treasurer. Licenses required.

SEC. 2. That the term emigrant agent as contemplated in this Act shall be construed to mean any person engaged in hiring laborers or soliciting emigrants in this State to be employed beyond the limits of the same by himself or by others. Definition.

SEC. 3. That any person shall be entitled to a license, which shall be good between the 1st day of January and the 1st day of July of any one year, upon the payment to the State Treasurer, for the use of the State, the sum of five hundred dollars for each County in which he may operate. Term of license. Fee.

SEC. 4. That any person doing the business of an emigrant agent in this State between the 1st day of January and the 1st day of July of any year without having first obtained such Penalty.

A. D. 1893.

Punishment.

license shall be guilty of a misdemeanor, and upon conviction shall be punished by fine not less than five hundred dollars and not more than one thousand dollars, or may be imprisoned at hard labor not exceeding two years for each and every offense, in the discretion of the Court.

Term permitted without license.

SEC. 5. That nothing in this Act shall be construed to prevent emigrant agents operating in this State without license between the 1st day of July and the 31st day of December of any year.

Repealing clause.

SEC. 6. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

When to take effect.

SEC. 7. This Act shall go into effect immediately on its approval.

Approved December 22d, A. D. 1893.

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No. 313. AN ACT TO DECLARE THE LAW IN REFERENCE TO, AND FURTHER REGULATE THE USE, SALE, CONSUMPTION, TRANSPORTATION AND DISPOSITION OF, ALCOHOLIC LIQUIDS OR LIQUORS WITHIN THE STATE OF SOUTH CAROLINA, AND TO POLICE THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

The handling or keeping of alcoholic liquors

the manufacture, sale, barter or exchange, receipt, acceptance, delivery, storing and keeping in possession, within this State, of any spirituous, malt, vinous, fermented, brewed (whether lager or rice beer) or other liquors, or any compound or mixture thereof, by whatever name called or known, which contains alcohol and is used as a beverage, by any person, firm or corporation; the transportation, removal, the taking from the depot or other place by consignee or other person, or the payment of freight or express or other charges by any person, firm, association or corporation upon any spirituous, malt, vinous, fermented, brewed (whether lager, rice or other beer) or other liquor or any compound or mixture thereof, by whatever name called or known, which contains alcohol and is used as a beverage, except as is hereinafter provided, is hereby prohibited under a penalty of thirty days' imprisonment or one hundred dollars' fine for each offense. All such liquors, except when bought from a State officer authorized to sell the same or in possession of one,

neir transportation or removal.

And payment of freight thereon.

Prohibited under penalty.

Declared contraband.

A. D. 1893.

are declared to be contraband and against the morals, good health and safety of the State, and may be seized wherever found, without warrant, and turned over to the State Commissioner. And may be seized.

SEC. 2. The Governor, the Attorney-General and the Comptroller-General shall, *ex officio*, constitute a State Board of Control to carry out the provisions of this Act. State Board of Control.

SEC. 3. That the Governor shall, at the expiration of the term of the present Commissioner, and at the expiration of every two years thereafter, appoint a Commissioner, which appointment shall be submitted to the Senate at its next session for its approval; said Commissioner shall be believed by the Governor to be an abstainer from intoxicants, and shall, under such rules and regulations as may be made by the State Board of Control, purchase all intoxicating liquors for lawful sale in this State, and furnish the same to such persons as may be designated as Dispensers thereof, to be sold as hereafter prescribed in this Act. Said Commissioner shall reside, and have his place of business, in the city of Columbia, in this State, and hold his office two years from appointment and until another be appointed in his stead. He shall be subject to removal for cause by the State Board of Control. He shall qualify and be commissioned the same as other State officers, and receive an annual salary of $3,000, payable at the same time and in the same manner as is provided for the payment of the salaries of State officers. He shall be allowed a bookkeeper, who shall be paid in the same manner a salary of $1,200, and such other assistants as in the opinion of the Board of Control may be deemed necessary. He shall not sell to the County Dispensers any intoxicating or fermented liquors except such as have been tested by the chemist of the South Carolina College and declared to be pure: *Provided*, That said State Board of Control shall have authority to appoint such assistants as they may find necessary to assist the chemist of the South Carolina College in making the analyses required by this Act, and the said State Board of Control may fix such reasonable compensation, if any, as they may deem proper for the services rendered by such chemist or such assistants. The State Commissioner shall deposit all amounts received by him from sales to County Dispensers or others with the Treasurer of the State under such rules as may be made by the State Board of Control to insure the faithful return of the same, and the State Treasurer shall keep a separate account with said fund, from which the Commissioner shall draw from time to time, upon warrants duly

Appointment of Commissioner.

Purchase of liquors.

Location of Commissioner. Term of office.

Removal.

Salary.

Bookkeeper.

Other assistants.

Test of liquors.

Assistants to chemist.

Compensation.

Deposit with State Treasurer.

Separate account.

A. D. 1893.

approved by the Chairman of said Board, the amounts necessary to pay the expenses incurred in conducting the business. All rules and regulations governing the said Commissioner in the purchase of intoxicating liquors, or in the performance of any of the duties of his office, where the same are not provided for by law, shall be prescribed by the State Board of Control. He shall, before entering upon the duties of his office, execute a bond to the State Treasurer, with sufficient sureties, to be approved by the Attorney-General, in the penal sum of ten thousand dollars, ($10,000) for the faithful performance of the duties of his office. In all purchases or sales of intoxicating liquors made by said Commissioner as contemplated in this Act, the Commissioner shall cause a certificate to be attached to each and every package containing said liquors when the same is shipped to him from the place of purchase, or by him to the County Dispensers, certified by his official signature and seal, which certificate shall state that liquors contained in said package have been purchased by him for sale within the State of South Carolina, or to be shipped out of the State under the laws of said State; and without such certificate any package containing liquors which shall be shipped out of the State, or shipped from place to place within the State, or delivered to the consignee by any railroad, express company or other common carrier, or be found in the possession of any common carrier, shall be regarded as contraband and may be seized, without warrant, for confiscation, and such common carrier shall be liable to a penalty of five hundred dollars for each offense, to be recovered against said common carrier in any Court of competent jurisdiction by summons and complaint, proceedings to be instituted by the Solicitor of any circuit, with whom evidence may be lodged by any officer or citizen having knowledge or information of the violation; and any person attaching or using such certificate without the authority of the Commissioner, or any counterfeit certificate, for the purpose of securing the transportation of any intoxicating liquors out of or within this State in violation of law, shall upon conviction thereof be punished by a fine of not less than five hundred dollars and imprisonment in the Penitentiary for not less than one year for each offense.

Warrants on fund.

Rules of State Board.

Bond of Commissioner.

Certificate on packages.

Shipments, &c., without certificates.

Seized as contraband.

Penalty to carrier.

How recovered.

Illegal use of certificate.

Penalty.

Quarterly statement by Commissioner.

SEC. 4. Said Commissioner shall make a printed quarterly statement, under oath, of all liquors sold by him, enumerating the different kinds and quantity of each kind, the price paid and the terms of payment, and to whom sold; also the names of the

parties from whom the liquor was purchased, and their place of business and date of purchase, which statement shall be filed with the State Board of Control. [A. D. 1893. To be filed.

SEC. 5. The State Commissioner shall before shipping any liquors to Dispensers, except lager beer, cause the same to be put into packages of not less than one-half pint nor more than five gallons, and securely seal the same, and it shall be unlawful for the Dispenser to break any such package or open the same for any reason whatever. He shall sell by the package only, and no person shall open the same on premises: *Provided,* This Section shall not apply to malt liquors shipped in cases, or bottles thereof shipped in barrels, and such malt liquors may be sold by the County Dispenser in such quantities of not less than one pint as he may see proper: *Provided,* The same shall not be drunk on the premises. Dispensers shall open their places of business and sell only in the day time, under such rules as may be made by the State Board of Control. Packages for shipment. Exceptions. Proviso. Sales by Dispensers.

SEC. 6. It shall be the duty of the State Board of Control to appoint a County Board of Control, composed of three persons believed by said Board not to be addicted to the use of intoxicating liquors, who shall hold their office for a term of two years, and until their successors are appointed. Said County Board of Control shall be subject to removal for cause by the State Board of Control. Said County Board shall make such rules as will be conducive to the best management of the sale of intoxicating liquors in their respective Counties: *Provided,* All such rules shall be submitted to the State Board and approved by them before adoption. Said County Board of Control shall qualify and be commissioned as are other County officers, without fees therefor. County Board of Control. Removal. Rules. Approval of State Board. Qualification.

SEC. 7. Applications for position of County Dispenser shall be by petition, signed and sworn to by the applicant and filed with the County Board of Control at least ten days before the meeting at which the application is to be considered, which petition shall state the applicant's name, place of residence, in what business engaged, and in what business he has been engaged two years previous to filing petition; that he is a citizen of the United States and of South Carolina; that he has never been adjudged guilty of violating the law relating to intoxicating liquors, and is not a keeper of a restaurant or place of public amusement, and that he is not addicted to the use of intoxicating liquors as a beverage. This permit or renewal thereof shall issue only on Application by Dispensers. Contents of petition. Bond.

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Conditions. condition that the applicant shall execute to the County Treasurer a bond in the penal sum of three thousand dollars, with good and sufficient sureties, conditioned that he will well and truly obey the laws of the State of South Carolina, now or hereafter in force, in relation to the sale of intoxicating liquors; that he will pay all fines, penalties, damages and costs that may be assessed or recorded against him for violation of such laws during the term for which said permit or renewal is granted, and will not sell intoxicating liquors under his permit at a price other than that fixed by State Board of Control. Said bond shall be

For whose use. for the use of the County or any person or persons who may be damaged or injured by reason of any violation on the part of the obligor of the law relating to intoxicating liquors purchased or sold during the term for which said permit or the renewal thereof

Deposit of bond. is granted. The said bond shall be deposited with the County

Suit on bond. Treasurer, and suit thereon shall be brought at any time by the Solicitor or any person for whose benefit the same is given; and in case the conditions thereof, or any of them, shall be violated, the principal and sureties thereon shall also be jointly and severally liable for all civil damages, costs and judgments that may be obtained against the principal in any civil action brought by wife, child, parent, guardian, employer or other person, under

Liability.

Other provisions. the provision of the law. All other moneys collected for breaches of such bond shall go into the County treasury. Said bond shall be approved by the County Board of Control under the rules and laws applicable to the approval of official bonds.

Number and location of dispensaries. SEC. 8. There may be one or more County Dispensers appointed for each County, the place of business of each of whom shall be designated by the County Board, but the State Board must give consent before more than one Dispenser can be appointed in any County; and when the County Board designates

Preliminary proceedings. a locality for a Dispensary, ten days' public notice of which shall be given, it shall be competent for a majority of the voters of the township in which such Dispensary is to be located to pre-

How prevented. vent its location in such township by signing petitions addressed to the County Board requesting that no Dispensary be established in that township, whereupon some other place may be designated.

None in the country except in Beaufort and Horry. The County Board may in its discretion locate a Dispensary elsewhere than in an incorporated town in the Counties of Beaufort and Horry and no other: *Provided, however,* That any County,

Proceedings in places heretofore dry by law. town or city wherein the sale of alcoholic liquors was prohibited by law prior to July 1st, 1893, may secure the establishment of

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a Dispensary within its borders in the following manner: Upon petition signed by one-fourth of the qualified voters of such County, town or city wishing a Dispensary therein being filed with the County Commissioners or Town or City Council, respectively, they shall order an election submitting the question of Dispensary or no Dispensary to the qualified voters of such County, town or city, and shall prescribe the rules, regulations, returns, ballots and notice of such election and shall declare the result; and if a majority of the ballots cast be found and declared to be for a Dispensary, then a Dispensary shall be established in said County, town or city: *Provided*, That Dispensaries may be established in the Counties of Williamsburg and Marion without such election on compliance with the other requirements of this Act: *Provided*, That nothing in this Act contained shall be so construed as to prohibit persons resident in Counties which shall elect to have no Dispensary from procuring liquors from Dispensaries in other Counties, or County Dispensers from shipping same to their places of residence under proper labels or certificates.

Election.

Exceptions.

Liquor from other Counties.

Shipment.

Oath by Dispensers.

SEC. 9. If the application for the position of Dispenser be granted, it shall not issue until the applicant shall make and subscribe an oath, before some officer authorized by law to administer oaths, which shall be endorsed upon the bond, to the effect and tenor the following: "I, , do solemnly swear (or affirm) that I will well and truly perform all and singular the conditions of the within bond, and keep and perform the trusts confided in me to purchase, keep and sell intoxicating liquors. I will not sell, give or furnish to any person any intoxicating liquors otherwise than is provided by law, and especially I will not sell or furnish intoxicating liquors to any minor, intoxicated person or persons who are in the habit of becoming intoxicated, and I will make true, full and accurate returns to the County Board of Control the first Monday of each month of all certificates and requests made to or received by me, as required by law, during the preceding month; and such returns shall show every sale and delivery of such liquors made by or for me during the month embraced therein, and the true signature to every request received and granted; and such returns shall show all the liquors sold or delivered to any and every person as returned." Upon taking said oath and filing bond as hereinbefore provided, the County Board of Control shall issue to him a permit authorizing him to keep and sell intoxicating liquors as in this Act provided, and every permit so granted shall specify the building, giving street and number or location, in which intoxicating

Permit to Dispensers.

Specifications.

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liquors may be sold by virtue of the same, and the length of time in which the same shall be in force, which in no case shall exceed twelve months. Permits granted under this Act shall be deemed trusts reposed in the recipients thereof, not as a matter of right, but of confidence, and may be revoked upon sufficient showing by order of the County Board of Control; and upon the removal of any County Dispenser, or upon demand of the County Board of Control, he shall immediately turn over to the County Board of Control all liquors and other property in his possession belonging to the State or County. Said County Board of Control shall be charged with the duty of prosecuting the County Dispenser, or any of his employees, who may violate any of the provisions of this Act. On the death, resignation or removal of a County Dispenser, or expiration of his term of office, the County Board shall appoint his successor.

Permits to be in trust.

Revocation.

Surrender of property.

Prosecutions.

Successor.

Office and Clerk of County Board.

Books and records.

Location of dispensaries.

Meetings of County Board.

Compensation.

Limit.

Assistants to Dispenser.

Compensation.

Appropriation of profits.

Proviso.

SEC. 10. The County Board of Control shall use as their office the office of the County Commissioners of their respective Counties, and the clerk of the Board of County Commissioners shall serve as their clerk. They shall preserve, as part of the records and files of their office, all petitions, bonds and other papers pertaining to the granting or revocation of permits, and keep suitable books in which bonds and permits shall be recorded. The books shall be furnished by the County like other public records. The County Board of Control shall designate or provide a suitable place in which to sell the liquors. The members of the County Board of Control shall meet once a month, or oftener, on the call of the Chairman, and for their services they shall each receive a per diem of two dollars, and five cents mileage each way, and their clerk shall receive two dollars per day for the days actually employed as such, but they shall not receive compensation for more than thirty days in any one year. They shall, upon the approval of the State Board of Control, employ such assistants for the County Dispenser as may be necessary. The Dispenser and his assistants shall receive such compensation as the State Board of Control may determine. All profits, after paying all expenses of the County Dispensary, shall be paid one-half to the County treasury and one-half to the municipal corporation in which it may be located, such settlements to be made quarterly: *Provided*, That if the authorities of any town or city, in the judgment of the State Board of Control, do not enforce this law, the State Board may withhold the part going to the said town or city and use it to pay State Constables.

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Requests for liquor.

SEC. 11. Before selling or delivering any intoxicating liquors to any person, a request must be presented to the County Dispenser, printed or written in ink, dated of the true date, stating that he or she is of age, and the residence of the signer for whom or whose use the liquor is required, the quantity and kind requested, and his or her true name; and the request shall be signed by the applicant in his own true name and signature, attested by the County Dispenser or his clerk who receives and files the request. But the request shall be refused if the County Dispenser filling it personally knows the person applying is a minor, that he is intoxicated, or that he is in the habit of using intoxicating liquors to an excess; or if the applicant is not so personally known to said County Dispenser, before filling said order or delivering said liquor he shall require the statement of a reliable and trustworthy person of good character and habits, known personally to him, that the applicant is not a minor, and is not in the habit of using intoxicating liquors to an excess.

Signing and attestation.

To whom refused.

Certification of applicant.

Blanks for requests.

Description.

SEC. 12. Requests for the purchase of liquor shall be made upon blanks furnished by the County Auditor, in packages of one hundred each, to the County Dispensers, from time to time as the same shall be needed, and shall be numbered consecutively by the Auditor. The blanks aforesaid shall be furnished to the County Auditor by the State Board of Control, in uniform books like bank checks, and the date of delivery shall be endorsed by the County Auditor on each book, and receipt taken therefor and preserved in his office. The Dispenser shall preserve the application in the original form and book, except the filling of the blanks therein, until returned to the County Auditor. When return thereof is made the County Auditor shall endorse thereon the date of return, and file and preserve the same to be used in the quarterly settlements between such Dispenser and the County Treasurer. All unused or mutilated blanks shall be returned or accounted for before other blanks are issued to such County Dispenser.

Disposition of requests.

Returns by Dispenser.

Accompanying oath.

SEC. 13. On or before the tenth day of each month each Dispenser shall make full returns to the County Auditor of all requests filled by him and his clerks during the preceding month, upon blanks to be furnished by the State Board of Control for that purpose, and accompany the same with an oath, duly taken and subscribed before the County Auditor or a Notary Public, which shall be in the following form, to wit: "I, , being duly sworn, state on oath that the requests for liquors

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herewith returned are all that were received and filled at my place of business under my permit during the month of , 189 ; that I have carefully preserved the same, and that they were filled up, signed and attested at the date shown thereon, as provided by law ; that said requests were filled by delivering the quantity and kind of liquors required, and that no liquors have been sold or dispensed under my permit during said month except as shown by the requests herewith returned ; and that I have faithfully observed and complied with the provisions of my bond and oath taken by me, thereon endorsed, and with all the laws relating to my duties in the premises."

Failure by Dispenser to make returns.

Proceedings.

Revocation of permit.

Enforcement of penalties.

Punishment for further sales

Penalty for illegal purchase, sale, adulteration, &c.

SEC. 14. Upon failure of any Dispenser to make the returns to the Auditor as herein required, it shall be the duty of said Auditor to report such failure to the State Board of Control, and the said State Board of Control shall immediately order the County Board to summon said delinquent Dispenser to appear before them and show cause why his permit should not be revoked ; and if the cause shall not be shown to the satisfaction of the County Board of Control, they shall immediately annul said permit and give public notice thereof ; and the Circuit Solicitor shall proceed to enforce the penalties prescribed in this Act for such violation against said County Dispenser at the next succeeding term of Court in the County in which such permit is held ; and any Dispenser who shall sell or dispense any intoxicating liquors after his permit shall have been revoked shall, upon conviction thereof, be fined not less than five hundred ($500) dollars and be imprisoned for six months. If any Dispenser or his clerk shall purchase any intoxicating liquors from any other person except the State Commissioner, or if he or they, or any person or persons in his or their employ, or by his or their direction, shall sell or offer for sale any liquors other than such as have been purchased from the State Commissioner, or shall adulterate or cause to be adulterated any intoxicating, spirituous or malt liquors which he or they may keep for sale under this Act, by mixing with same coloring matter or any drug or ingredient whatever, or shall mix the same with other liquors of different kind or quality, or with water, or shall sell or expose for sale such liquors so adulterated, knowing it to be such, or shall change the label upon any box, bottle or package, he or they shall be guilty of a misdemeanor and be fined in a sum of not less than two hundred dollars or imprisonment for not less than six months.

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Dispensers alone may sell, &c.

SEC. 15. No person, firm, association or corporation shall manufacture for sale, sell or keep for sale, exchange, barter, or dispense, any liquors containing alcohol, for any purpose whatever, otherwise than as provided in this Act. Dispensers as herein provided shall alone be authorized to sell and dispense such liquors, and all permits must be procured as herein provided from the County Board of Control: *Provided,* That the manufacturers of distilled, malt or vinous liquors who are doing business in the State shall be allowed to sell to no person in this State except the State Commissioner and to parties outside the State, and the State Commissioner shall purchase his supplies from brewers and distillers in this State where their product reaches the standard required by this Act: *Provided,* Such supplies can be purchased as cheaply there as elsewhere. Every package, barrel or bottle of such liquors shipped beyond the limits of this State shall have thereon the certificate of the State Commissioner allowing same, otherwise it shall be liable to confiscation, and the railroad carrying it shall be punished as in Section three: *And provided,* That any person shall have the right to make wine for his or her own use from grapes or other fruits.

Sales and shipments by manufacturers.

Preference to be given domestic brewers, &c.

Certificate for liquors shipped by manufacturers.

Penalty.

Wine for own use.

Account book of Dispenser.

SEC. 16. Every Dispenser shall keep a strict account of all liquors received by him from the State Commissioner, in a book kept for that purpose, which shall be subject at all times to the inspection of the Circuit Solicitor, any peace officer or grand juror of the County, or of any citizen, and such book shall show the amount and kind of liquors procured, the date of receipt and amount sold, and the amount on hand of each kind for each month. Such book shall be produced by the party keeping the same, to be used as evidence on trial of any prosecution against him, on notice duly served that the same will be required as evidence.

Open to inspection.

Statements.

Book as evidence.

*Prima facie* evidence of illegal sales.

SEC. 17. The payment of the United States special tax as a liquor seller, or notice of any kind in any place of resort, or in any store or shop, indicating that alcoholic liquors are there sold, kept or given away, shall be held to be *prima facie* evidence that the person or persons paying said tax and the parties displaying such notices are acting in violation of this Act, and unless said person or parties are selling under permit as prescribed by this Act they shall be punished by a fine not exceeding one hundred ($100) dollars or imprisonment not more than thirty days.

Penalty.

Privileges to licensed druggists.

SEC. 18. Licensed druggists conducting drug stores and manufacturers of proprietary medicines are hereby authorized to

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purchase of Dispensers of the Counties of their residence intoxicating liquors (not including malt) for the purpose of compounding medicines, tinctures and extracts that cannot be used as a beverage. The Dispensers shall not charge such licensed druggists more than ten per cent. net profit for liquors so sold. Such purchaser shall keep a record of the uses to which the same are devoted, giving the kind and quantity so used, and quarterly they shall make and file with the County Auditor and with the County Board of Control sworn reports, giving a full and true statement of the quantity and kinds of such liquors purchased and used, the uses to which the same have been devoted, and giving the name of the Dispenser from whom the same was purchased, and the dates and quantities so purchased, together with an invoice of each kind still in stock and kept for such compoundings. If said licensed druggist shall sell, barter, give away or exchange or in any manner dispose of said liquors for any purpose other than authorized by this Section, he shall upon conviction forfeit his license and be liable to all penalties, prosecutions and proceedings at law and in equity provided against persons selling without permit, and upon such conviction the Clerk of the Court shall, within ten days after such judgment or order, transmit to the Board of Pharmaceutical Examiners the certified record thereof, upon receipt of which the said Board shall strike the name of the said druggist from the list of pharmacists and revoke his certificate: *Provided*, That nothing herein contained shall be construed to authorize the manufacture or sale of any preparation or compound, under any name, form or device, which may be used as a beverage which is intoxicating in its character: *And provided, further*, That the State Commissioner shall be authorized to sell to manufacturing chemists and wholesale druggists alcohol by the barrel at cost.

Price to druggists.

Account to be kept by druggist.

Sworn reports.

Penalty for illegal use.

Revocation of druggist's license.

Proviso.

Sale of alcohol.

False signatures, statements, &c.

SEC. 19. If any person shall make any false or fictitious signature, or sign any name other than his or her own, to any paper required to be signed by this Act, without being authorized so to do, or make any false statement in any paper, request or application signed to procure liquors under this Act, the person so offending shall be guilty of a misdemeanor, and upon conviction therefor shall be punished by a fine of not more than twenty-five dollars or be imprisoned not more than thirty days.

Penalty.

False oaths.

SEC. 20. If any Dispenser, or his clerk, shall make false oath touching any matter required to be sworn to under the provisions of this Act, the person so offending shall, upon conviction, be punished as provided by law for perjury. If any County Dis-

Penalty.

penser shall purchase or procure any intoxicating liquors from other person than the State Commissioner, or make any false returns to the County Auditor, or use any request for liquors for more than one sale, in any such case he shall be deemed guilty of a misdemeanor, and upon conviction be punished by a fine of five hundred dollars or six months' imprisonment. A. D. 1893. Illegal acts by Dispensers. Penalty.

SEC. 21. Every person who shall directly or indirectly keep or maintain, by himself, or by associating or combining with others, or who shall in any manner aid, assist or abet in keeping or maintaining, any club room or other place in which any intoxicating liquors are received or kept for use, barter or sale as a beverage, or for distribution or division among the members of any club or association by any means whatever, and every person who shall receive, barter, sell, assist, or abet another in receiving, bartering or selling, any alcoholic liquors so received or kept, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed one hundred dollars or 30 days' imprisonment: *Provided,* That the State Board of Control shall have the power, upon a proper showing and under such rules as they may adopt, to exempt hotels where tourists or health-seekers resort from being considered nuisances or as violating this Act by reason of any managers of such hotels dispensing liquors bought from the Dispensary, by the bottle, either night or day, among the *bona fide* guests of such hotel; but before any such exemption shall be granted the State Board of Control shall require the manager of such hotel to give a good and sufficient bond, in the penal sum of three thousand dollars, conditioned for the observance of all the rules, regulations and restrictions prescribed and imposed by the said Board and with all the requirements of this Act; and it shall be lawful for any Constable or officer thus empowered under this Act to enter such hotel and search it, at any time, day or night, without a warrant, for contraband liquors. Liquors at clubs prohibited. Aiders and abettors. Penalty. Proviso as to hotels. Terms of the exemption. Bond. Right of entry by Constables.

SEC. 22. All places where alcoholic liquors are sold, bartered or given away in violation of this Act, or where persons are permitted to resort for the purpose of drinking alcoholic liquors as a beverage, or where alcoholic liquors are kept for sale, barter or delivery in violation of this Act, are hereby declared to be common nuisances, and any person may go before any Trial Justice in the County and swear out an arrest warrant, on personal knowledge or on information and belief, charging said nuisance, giving the names of witnesses, against the keeper or Liquor resorts declared to be nuisances. Arrest warrant.

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manager of such place and his aids and assistants, if any, and such Trial Justice shall direct such arrest warrant either to the Sheriff of the County or to any special Constable, commanding said defendant to be arrested and brought before him to be dealt with according to law, and at the same time shall issue a search warrant, in which the premises in question shall be particularly described, commanding such Sheriff or Constable to thoroughly search the premises in question and to seize all alcoholic liquors found thereon, and dispose of them as provided in Section 33, and shall also seize all vessels, bar fixtures, screens, bottles, glasses and appurtenances apparently used or suitable for use in retailing liquors, to make a complete inventory thereof, and deposit the same with the Sheriff. That under the arrest warrant the defendant shall be arrested and brought before such Trial Justice and the case shall be disposed of as in case of other crimes beyond his jurisdiction, except that when he commits or binds over the parties for trial to the next term of the Court of General Sessions for the County he shall make out every paper in the case in duplicate and file one copy of the proceedings with the Clerk of the Court for the County and immediately transmit the other copy to the Solicitor of the Circuit, whereupon said Solicitor shall at once apply to the Circuit Judge, at chambers, within that Circuit, for an order restraining the defendants, their servants or agents, from keeping, receiving, bartering, selling or giving away any alcoholic liquors until the further order of the Court. Such Circuit Judge is hereby authorized, empowered and required to grant the said restraining order, without requiring a bond or undertaking, upon the hearing or receipt by him of said papers from the Court of said Trial Justice by the hands of the Solicitor; and any violation of said restraining order before the trial of the case shall be deemed a contempt of Court and punished as such by said Judge or Court, as for the violation of an order of injunction. Upon conviction of said defendants of maintaining said nuisance at the trial, they, or any of them, shall be deemed guilty of a misdemeanor, punishable by imprisonment in the State Penitentiary for a term of not less than three months, or a fine of not less than two hundred dollars, or by both, in the discretion of the Court, and the restraining order shall be made perpetual. The articles covered by the inventory which were retained by the Sheriff shall be forfeited to the State and sold and the net proceeds sent to the State Commissioner, and the Sheriff shall

To whom directed.

Search warrant.

Seizure of liquors.

And barroom appliances.

Inventory.

Disposition of case.

Papers in duplicate.

Duty of Solicitor.

Restraining order.

No undertaking required.

Contempt of Court and its punishment.

Conviction for nuisance.

Punishment.

Restraining order made perpetual.

Forfeiture to State.

Sale by Sheriff.

forthwith proceed to dispose of the alcoholic liquors covered by said inventory as provided for in this Act as when other liquors are seized. The finding of such alcoholic liquors on such premises, with satisfactory evidence that the same was being disposed of contrary to this Act, shall be *prima facie* evidence of the nuisance complained of. Liquors seized as hereinbefore provided, and the vessels containing them, shall not be taken from the custody of the officer in possession of the same by any writ of replevin or other process while the proceedings herein provided are pending. No suit shall lie for damages alleged to arise by seizure and detention of liquors under this Act. Any person violating the terms of any restraining order granted in such proceedings shall be punished for contempt, by a fine of not less than two hundred dollars nor more than one thousand dollars, and by imprisonment in the State Penitentiary not less than ninety days nor more than one year. In contempt proceedings arising out of the violation of any injunction granted under the provisions of this Act, the Court, or in vacation the Judge thereof, shall have power to try summarily and punish the party or parties guilty, as required by law. The affidavits upon which the attachment for contempt issues shall make a *prima facie* case for the State. The accused may plead in the same manner as to an indictment in so far as the same is applicable. Evidence may be oral or in the form of affidavits, or both; the defendant may be required to make answers to interrogatories, either written or oral, as in the discretion of the Court or Judge may seem proper; the defendant shall not necessarily be discharged upon his denial of the fact stated in the moving papers. The Clerk of the Court shall, upon the application of either party, issue subpœnas for witnesses, and except as above set forth the practice in such contempt proceedings shall conform as nearly as may to the practice in the Court of Common Pleas.

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*Prima facie* evidence.

Process to recover prohibited

Action prohibited.

Contempt and its punishment.

Summary trial for contempt.

Affidavit.

Rights of accused.

Evidence.

Interrogatories to defendant.

Witnesses.

SEC. 23. The State Commissioner, under rules and regulations provided by the State Board of Control, may enter into contracts with responsible grape growers in this State for the sale of domestic wines through the Dispensary, so as to encourage grape growing in this State, and in furtherance of this object not more than ten per cent. profit to the Dispensary over the expenses of bottling, labeling, freightage, etc., shall be charged for the handling of such wines. The manager of every registered distillery of liquor in this State shall report quarterly to the State

Contracts for domestic wines.

Profit to dispensary.

Registered distillers; reports by.

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Commissioner, showing the number of gallons of each kind of liquor on hand, manufactured or disposed of during the quarter, and if the said report fail to correspond with the return of said distillery to the United States Internal Revenue Collector for this State, or it is shown that said manager has disposed of liquor contrary to this Act, said distillery shall be deemed to be a common nuisance, and the said manager and his aiders and assistants and the premises shall be proceeded against as in this Act provided as to places where liquors are sold contrary to this Act.

When to be deemed common nuisances.

Proceedings against.

Search warrants.

SEC. 24. In all cases of places where liquors are unlawfully kept or stored, the same not being in an open house or exposed to view, and a search being necessary, upon affidavit to that effect, or on information and belief that contraband liquor is in such place, a search warrant shall be issued by a Justice, Judge or Trial Justice, or Mayor, or Intendant of a city or town, to whom application is made, empowering a Constable, or any person who may be deputized, to enter the said place by day time or in the night time and to search and examine the said premises for the purpose of seizing the said contraband liquors therein concealed, kept or stored, which said liquor when so seized shall be disposed of as hereinafter provided.

By whom issued

Authority conferred.

Disposition of liquors seized.

Seizure without warrant.

SEC. 25. That any of the liquors set forth in Section one (1) of this Act which are contraband may be seized and taken without warrant by any State Constable, Sheriff or policeman, while in transit or after arrival, whether in possession of a common carrier, depot agent, express agent, private person, firm, corporation or association, and reported to the State Commissioner at once, who shall dispose of the same as hereinafter provided: *Provided*, That liquors purchased outside the State, owned and conveyed as personal baggage, shall be exempt from seizure when the quantity does not exceed one gallon.

Exception.

Illicit liquors; possession of, and debt for.

SEC. 26. That the possession of said illicit liquors is hereby prohibited and declared unlawful, and any obligation, note or indebtedness contracted in their sale or transportation is declared to be absolutely null and void, nor shall any action or suit for the recovery of the same be entertained in any Court in this State

Proceeding *in rem*.

SEC. 27. That the proceeding against liquor so illegally kept, stored, sold, delivered, transported or being transported shall be considered a proceeding *in rem*, unless otherwise herein provided, elsewhere than at his or her residence.

Packages falsely branded.

SEC. 28. That the carriage, transportation, possession, removal, sale, delivery or acceptance of any of the said liquors or liquids

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in any package, cask, jug, box or other package, under any other than the proper name or brand known to the trade as designating the kind and quality of the contents of the casks, packages or boxes containing the same, or causing such removal, acceptance, transportation, taking into possession, or any such delivery, shall work the forfeiture of said liquors or liquids and casks or packages, and the person or persons so offending, knowingly, be subject to pay a fine of not more than five hundred dollars or imprisonment for the term of not longer than six months, and the wrongful name, address, mark, stamp or style on such liquor when seized shall be considered evidence *prima facie* of guilt. The books and way bills of the common carrier may be examined to trace said liquor to the shipper, who shall be liable, upon conviction, in a like penalty.

Shall be forfeited.

Further penalties.

*Prima facie* evidence.

Books and way bills.

SEC. 29. That all Constables, Deputy Constables, Sheriffs or municipal policemen shall have the right, power and authority, and it shall be their duty, whenever they are informed or suspect that any such suspicious package in possession of a common carrier contains alcoholic liquors or liquids, to detain the same for examination for the term of twenty-four hours without any warrant or process whatever.

Suspicious packages to be detained.

Without process.

SEC. 30. That any interference by any person with, obstruction or resistence of, or abusive language to, any officer or person in the discharge of the duties herein enjoined, or the use of abusive language by any such officer or person to any other person or persons, shall, upon conviction, be deemed guilty of a misdemeanor and be punishable by a fine of not more than one hundred dollars or imprisoned for the term of not more than 30 days.

Forbidden conduct to or by an officer.

Penalty.

SEC. 31. In all cases of seizure of any goods, wares or merchandise hereafter or heretofore made, as being subject to forfeiture under any provision of this Act or the former Act, which, in the opinion of the officer or person making the seizure are of the appraised value of fifty dollars or more, the said officer or person shall proceed as follows: *First.* He shall cause a list containing a particular description of the goods, wares or merchandise seized to be prepared in duplicate and an appraisement thereof to be made by three sworn appraisers, to be selected by him, who shall be respectable and disinterested citizens of the State of South Carolina, residing within the County wherein the seizure was made. Said list and appraisement shall be properly attested by the said officer or person and the said appraisers, for

Proceedings when goods seized are of value of $50.

List.

Appraisement.

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Pay of appraisers. When of less value than $50.

Public notice.

Contents.

Claim for goods.

Filing claim.

Bond of claimant.

Condition.

Proceedings thereunder.

Duty of Solicitor.

Forfeiture in case of no claim

Duty of State Commissioner.

Proviso as to small values.

Proceeding by claimant of small values.

which service each of the said appraisers shall be allowed the sum of one dollar, to be paid by the State Commissioner. *Second.* If the said goods are believed by the officer making the seizure to be of less value than fifty dollars, no appraisement shall be made. The said officer or person shall proceed to publish a notice for three weeks, in writing, at three places in the the County where the seizure was made, describing the articles and stating the time and place and cause of their seizure, and requiring any person claiming them to appear and make such claim within thirty days from the date of the first publication of such notice. *Third.* Any person claiming the liquors so seized as contraband, and the vessels containing the same, within the time specified in the notice, may file with the State Commissioner a claim stating his interest in the articles seized, and may execute a bond to the State Commissioner in the penal sum of five hundred dollars, with sureties to be approved by the said State Commissioner, conditioned that in the case of condemnation of the articles so seized the obligors shall pay all the costs and expenses of the proceedings to obtain such condemnation; and upon the delivery of such bond to the State Commissioner he shall transmit the same with the duplicate list or description of the goods seized to the Solicitor of the Circuit in which such seizure was made, and said Solicitor shall prosecute the case to secure the forfeiture of said contraband liquors or liquids in the Court having jurisdiction. *Fourth.* If no claim is interposed and no bond given within the time above specified, such liquors shall be forfeited without further proceedings, and the State Commissioner shall have the said liquors tested by the State Chemist, and if pure shall sell the same through the State Dispensary as though purchased by him. If not pure, he shall sell the same beyond the State and deposit the proceeds to the credit of the State Commissioner: *Provided,* That in seizures in quantities less in value than fifty dollars of such illicit liquor, or liquors, the same may be advertised, with other quantities, at Columbia, by the State Commissioner, and disposed of as hereinbefore provided: *Provided, further,* That the claimant of such liquors may give bond in one hundred dollars as when the value is fifty dollars or over, and shall bear the burden of showing before a Trial Justice that he has complied with the law and that the liquor is not liable to seizure.

Liquors on arrival in State to be subject to its laws.

SEC. 32. That all fermented, distilled or other liquors or liquids containing alcohol, transported into this State, or remain-

ing herein for use, sale, consumption, storage or other disposition, shall, upon introduction and arrival in this State, be subject to the operation and effect of this law to the same extent and in the same manner as though such liquors or liquids had been produced in this State.

Penalty for transportation of liquors in vehicles.

SEC. 33. That no person, except as provided in this Act, shall bring into this State, or transport from place to place within this State, by wagon, cart or other vehicle, or by any other means or mode of carriage, any liquors or liquids containing alcohol, under a penalty of one hundred dollars or imprisonment for thirty days for each offense, upon conviction thereof, as for a misdemeanor.

Removal of liquors at unusual stations.

Any servant, agent or employee of any persons, corporation or associations, doing business in this State as common carrier, or any person whatsoever, (except an officer seizing or examining the same) who shall remove any intoxicating liquors from any railroad car, vessel or other vehicle of transportation at any place other than the usual and established stations, wharves, depots or places of business of such common carriers within some city or town where there is a Dispensary, and then only for such Dispensary, or who shall aid in or consent to such removal, shall upon conviction be subject to a penalty of fifty dollars or imprisonment for thirty days for every such offense: *Provided*, That said penalty shall not apply to any liquor in transit when changed from car to car to facilitate transportation across the State: *Provided*, That this Section does not apply to liquors purchased from a Dispensary and bearing the proper label or certificate.

Penalty.

Exceptions.

Liquors in transitu within State.

All liquors in this State, except Dispensary liquors and those passing through consigned to points beyond, shall be deemed contraband and may be seized in transit without warrant.

Penalties against common carriers.

And any steamboat, sailing vessel, railroad, express company or other common carrier transporting or bringing into this State for sale or use therein, except by the Dispensary, shall suffer a penalty of five hundred dollars and costs for each offense, to be recovered by the Solicitor of the Circuit, or the Attorney-General, by an action brought therefor in any Court of competent jurisdiction.

Recovery of.

Officers may enter and search cars, &c.

The State Constables, Sheriffs, municipal police or any lawful Constable may enter any railroad car, or express car, or depot, or steamboat, or other vessel, without warrant and make search for such contraband liquors, and may examine the way bills and freight books of said common carriers, and any one interfering with or resisting such officer shall be punished by a fine not exceeding $100 or imprisonment not longer than 30 days.

Penalty for resisting.

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Arrest of open violators.

SEC. 34. That any person detected openly in the act of violating any of the provisions of this Act shall be liable to arrest without warrant, provided a warrant shall be procured within a reasonable time thereafter.

Punishment for forbidden acts.

SEC. 35. That violations of any of the Sections of this Act, where punishment upon conviction is not especially provided for, the person or persons or corporation so convicted shall be punished in the discretion of the Court trying the same. All alcoholic liquors, other than domestic wine, and in quantity more than five gallons, which do not have on the packages in which they are contained the labels and certificates going to show that they have been purchased from a State officer authorized to sell them are hereby declared contraband, and on seizure will be forfeited to the State as provided in Section 31: *Provided*, That this Section shall not apply to liquor held by the owners of registered stills. Persons having more than five gallons of liquor elsewhere than at his or her home, which they wish to keep for their own use, may throw the protection of the law around the same by furnishing an inventory of the quantity and kinds to the State Commissioner and applying for certificates to affix thereto. After sixty days from the approval of this Act any liquor found in the State not having such certificates may be seized and confiscated. Persons having more than they wish to use may obtain certificates to ship beyond the limits of the State. Any person affixing, or causing to be affixed, to any package containing alcoholic liquor any imitation stamp or other printed or engraved label or device than those furnished by the State Commissioner shall for each offense be liable to a penalty of ten days' imprisonment or twenty-five dollars' fine.

Liquors not certified declared to be contraband.

Forfeiture.

Exception.

Protection may be had for liquor stored.

Liquor not certified.

Certificates for shipment.

Imitation stamps or devices prohibited

Penalty.

Rescue from officer.

SEC. 36. Every person who dispossesses or rescues from a Constable or other officer, or attempts so to do, any alcoholic liquor taken or detained by such officer charged with the enforcement of this law, shall, upon conviction, be imprisoned thirty days or pay a fine of one hundred dollars.

Penalty.

Contraband liquor by night.

SEC. 37. Any person handling contraband liquor in the night time, or delivering the same, shall be guilty of a misdemeanor, and on conviction shall be punished by imprisonment for thirty days or one hundred dollars' fine.

Penalty.

Transportation by vehicles at night.

SEC. 38. Any wagon, cart, boat or other conveyance transporting contraband liquor at night, other than regular passenger or freight steamers and railway cars, shall be liable to seizure and

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confiscation; and to that end the officer shall cause the same to be appraised by three disinterested citizens, and unless recovered by claim and delivery proceedings and suitable bond shall be advertised and sold and proceeds sent to the State Commissioner. Proceedings.

SEC. 39. Every Dispenser when he sells a package containing liquor shall put a cross mark in ink on the label or certificate thereon, extending from the top to the bottom and from side to side. When any liquor is seized because it has not the necessary certificates and labels required by this Act, the burden of proof shall be upon the claimant of said spirits to show that no fraud has been committed and that the whiskey is not contraband. Dispenser to cancel labels. Burden of proof where liquor not labeled.

SEC. 40. That any railroad, steamboat, express company or other common carrier shall incur a penalty of treble the invoice price of any alcoholic liquors lost or stolen in transit to or from the Dispensary, whether shipped as released or not, such penalty to be recovered by action in any Court of competent jurisdiction. Common carriers liable for treble value of goods lost or stolen. Recovery.

SEC. 41. That it shall be unlawful for any person to take or to solicit orders, or to receive money from other persons for the purchase or shipment of any alcoholic liquors for or to such other persons in this State, except for liquors to be purchased and shipped from the Dispensary, and any person violating this Section, upon conviction, shall be deemed guilty of a misdemeanor, and shall be punished by imprisonment not to exceed thirty days or by a fine not to exceed one hundred dollars. Agency for purchase of liquors prohibited. Penalty.

SEC. 42. It shall be the duty of Sheriffs, Deputy Sheriffs and Constables having notice of the violation of any of the provisions of this Act to notify the Circuit Solicitor of the fact of such violation, and to furnish him the names of any witnesses within their knowledge by whom such violation can be proven. If any such officer or Solicitor shall willfully fail to comply with the provisions of this Section, he shall, upon conviction, be fined in a sum not less than one hundred dollars nor more than five hundred dollars; and such conviction shall work a forfeiture of the office held by such person; and the Court before whom such conviction is had shall, in addition to the imposition of the fine aforesaid, order and adjudge the forfeiture of his said office. Officers to notify Solicitors. Failure of duty by Solicitor. Penalty.

SEC. 43. The Governor shall have authority to appoint one or more State Constables at a salary of two dollars per day and expenses when on duty, and two Chief Constables at three dollars each per day and expenses, to see that this Act is enforced, Governor to appoint State Constables. Pay. Chief Constables. Pay.

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the same to be charged to the expense account of the State Commissioner, except as otherwise provided in this Act.

Repealing clause.

SEC. 44. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Affidavits on information and belief.

SEC. 45. That wherever in this Act it is provided that process shall issue upon an affidavit based on information and belief, the affidavit shall contain a statement setting forth the sources of information, the facts and grounds of belief upon which the affiant bases his belief.

Sales of liquor near churches and schools.

SEC. 46. This Act shall not be held or construed to in any manner repeal or affect existing laws prohibiting the sale of intoxicating liquors within certain distances of churches and schools.

Rice beer to be disposed of.

SEC. 47. That brewers in this State of rice beer heretofore engaged in the manufacture and sale of rice beer containing not more than two per cent. of alcohol shall be allowed thirty days from the approval of this Act to dispose of their manufactured product now on hand.

Actions against officers acting under this law.

SEC. 48. That Chapter 7, Title VII., of the Code of Civil Procedure of this State, entitled "Of Provisional Remedies in Civil Actions," shall not apply to any officer or person having duties to perform under this Act, and in no case shall an action lie against any such officer or person for damages to person or property as provided in said Chapter.

When to take effect.

SEC. 49. This Act shall take effect immediately upon its approval.

Approved December 23d, A. D. 1893.

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No. 314. AN ACT TO RAISE SUPPLIES AND MAKE APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING NOVEMBER 1ST, 1893.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

General levy for State purposes.

a tax of five mills, exclusive of the public school tax hereinafter provided for, upon every dollar of the value of all taxable property of this State, be, and the same is hereby, levied for the purpose of meeting appropriations to defray the current expenses of the Government for the fiscal year commencing November

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1st, 1893, and to meet such other indebtedness as has been, or shall be, provided for in the several Acts and Joint Resolutions passed by this General Assembly at the regular session of 1893 providing for the same.

Levy for County purposes.

SEC. 2. That a tax is hereby levied upon all taxable property in each of the Counties of this State for County purposes for the fiscal year commencing November 1st, 1893, to the amounts hereinafter respectively stated, that is to say:

Abbeville 3½ mills.

*For the County of Abbeville,* for ordinary County purposes, three mills; on the taxable property of Ninety-Six Township, ⅝ of one mill; for past indebtedness and deficiency of past fiscal year, ½ of one mill. This ⅝ of one mill to be levied on taxable property of Ninety-Six Township is for the purpose of paying attorney's costs and fees in the case of George W. Folsom *vs.* the Township of Ninety-Six.

Aiken 2¾ mills.

*For the County of Aiken,* for ordinary County purposes, 2¾ mills.

Anderson 3¾ mills.

*For the County of Anderson,* for ordinary County purposes, two and one-half mills; for past indebtedness, one and one-quarter mills; also the revenue arising from the Dispensary sales shall be applied to past indebtedness.

Beaufort 5¾ mills.

*For the County of Beaufort,* for ordinary County purposes, four and one-half mills; for past indebtedness, one-fourth of one mill; for roads and bridges, one mill; and the Treasurer of said County shall pay to the Bull River Phosphate Company their claim, amounting to two hundred and eighteen and sixty-five one-hundredth dollars, abated taxes for the fiscal year ending November, 1892, as approved by the Comptroller-General.

Claim to be paid

Chesterfield 7 mills.

*For the County of Chesterfield,* for ordinary County purposes, five mills; for building jail, two mills.

Chester 6¾ mills.

*For the County of Chester,* for ordinary County purposes. four and one-fourth mills; for interest on railroad bonds and retiring railroad bonds, two and one-half mills.

Clarendon 3½ mills.

Specific appropriations.

*For the County of Clarendon,* for ordinary County purposes, three and one-half mills; for County Auditor, three hundred dollars; for County Commissioners and clerk, eight hundred dollars; for County Treasurer's commissions, two hundred and fifty dollars; for County Board of Equalization, two hundred dollars; for jury, witnesses and Constable tickets, twelve hundred dollars; for Clerk of Court, one hundred and fifty dollars; for Sheriff, seven hundred dollars; for Trial Justices and Constables, thirteen hundred dollars; for Coroner, one hundred

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dollars; for Poor House, five hundred dollars; for repairs on roads and bridges, four hundred dollars; books, stationery and printing, two hundred dollars; for *post mortem* examinations and examining lunatics and conveying lunatics to the Asylum in Columbia, South Carolina, one hundred dollars; for Jury Commissioner and insurance, one hundred and sixty dollars; for Superintendent of Poor Farm, one hundred dollars; for Physician to Poor Farm, one hundred dollars; for repairs on roads and bridges, caused by ravages of storm, one thousand and twenty-five dollars; for interest on money borrowed, seven hundred dollars; for Sheriff's dieting account, four hundred dollars: *Provided*, That the profits arising from the Dispensary be applied to the past indebtedness of the County.

Profits of dispensaries.

Barnwell 3¾ mills.

*For the County of Barnwell*, for all County purposes, three and three-fourths mills (3¾), to be expended as follows: for County Auditor, five hundred ($500) dollars; for County Commissioners' per diem and mileage and clerk's salary, fifteen hundred ($1,500) dollars; for County Treasurer's commissions for County only, four hundred and twenty-five ($425) dollars; for County Board of Equalization, one hundred and sixty ($160) dollars; for Clerk of Court, five hundred and eighteen ($518) dollars; for Coroner, four hundred ($400) dollars and no more; for books, stationery and printing, five hundred ($500) dollars; for jury, Constable and witness tickets, five thousand ($5,000) dollars; for Sheriff (including dieting prisoners) and all other duties required by law in criminal cases, twenty-five hundred ($2,500) dollars in lieu of all accounts for dieting and fees and costs; for Trial Justices' and Constables' salaries, twenty-six hundred and seventy ($2,670) dollars, as now provided by law, for all services in criminal cases, except that the Constables shall receive the mileage as now provided by law for transporting provisions to jail, and no costs or fees shall be paid to the Sheriff or any Constable for serving any warrant or process issued by a Trial Justice, except where the offense charged in the warrant is a capital felony; for the support of the Poor House and inmates, the sum of twelve hundred ($1,200) dollars, and the Board of County Commissioners is hereby forbidden from maintaining in whole or part any pauper who is not an inmate of the Poor House; for repairs on roads and bridges, the sum of two thousand ($2,000) dollars, and the County Commissioners are hereby prohibited from expending any sum of money or contracting any debt in excess of two thousand ($2,000) dollars; for contingent

Specific appropriation.

Fees to Sheriff and Constables.

Poor House.

Roads and bridges.

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expenses, fifteen hundred ($1,500) dollars and no more. The Treasurer is hereby authorized to pay the sum of fifteen dollars to G. Duncan Bellinger for expenses to Barnwell, on business in behalf of the delegation, out of the surplus on hand; that the Treasurer is directed to pay the past indebtedness of thirteen hundred and fourteen and 32-100 ($1,314.32) dollars, for the fiscal year commencing November 1st, 1891, out of any funds now on hand. The Treasurer is required to set aside the sum of five thousand ($5,000) dollars of the funds collected from the fiscal year 1892–1893 for the pay of Court expenses, and if there is any surplus funds on hand from taxes collected or paid in by Trial Justices or the Dispensary authorities, the Treasurer is directed to cash all warrants drawn by the Board of County Commissioners for repairs on roads and bridges to the extent of two thousand ($2,000) dollars: *Provided,* The Chairman shall certify on each warrant if for work done on repairs of roads and bridges since first day of February, 1894; any surplus of funds to be paid out on warrant of the County Commissioners for the support of the Poor House and poor as aforesaid. That the County Treasurer of Barnwell County be, and he is hereby, authorized and directed to borrow, from time to time, on his official note, as County Treasurer, or other similar evidence of indebtedness, a sum or sums of money not exceeding in all five thousand ($5,000) dollars, at a rate of interest not exceeding eight per cent. per annum, for the purpose of paying the ordinary County expenses not arranged for above, in cash, and said Treasurer is hereby authorized and empowered to pledge as security for such borrowed money the tax herein levied; that the County Treasurer is hereby required to keep a separate bank account for Court funds, Poor House and poor, repairs on roads and bridges, Sheriffs, Trial Justices and Constables, and school funds.

G. D. Bellinger.

Past indebtedness.

Court expenses.

Surplus.

Loans authorized.

Pledge.

Separate account.

*For the County of Charleston,* in which it shall be two and one-half mills. That the proceeds of one-eighth of one mill of said levy shall be set apart and applied to the use of the militia in said County, in accordance with the special Act thereto relating. That the remainder of said levy shall be applied as follows: The sum of five thousand dollars is hereby appropriated to meet the cost of continuing the construction of the stone roadway leading from the city of Charleston towards the County line, and for no other purpose whatsoever, such sum to be expended entirely and directly in such work and repairs on said

Charleston 2½ mills.

Militia.

Stone roadway.

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road, not in the payment of salaries of any official connected with such road; and the remainder of the proceeds of said levy shall be used for general County purposes, including therein Court and jail expenses, also one hundred dollars each to the Superintendents of Highways at McClellanville and James Island to pay his salary for 1893 and the cost of necessary repairs to roads and bridges; also the sum of eleven thousand and two hundred dollars to pay the interest to mature during the fiscal year commencing November 1st, 1893, on the six per cent. bonds issued by said County, and also the installment of the principal of said bonds which will mature during said year. And also such sums as may be necessary to pay in full whatever balance may remain due and unpaid on the notes of the County Treasurer, given by him under authority of law, or any deficiency caused by the payment of such notes out of any other funds, after which may be paid the amount hereinbefore appropriated for continuing the construction of the stone roadway; for repairs to bridges, avenues and culverts along the State Road, five hundred dollars. That all other funds and balances in the hands of, or to the credit of, the County Commissioners not otherwise appropriated, or herein appropriated and not required, are hereby appropriated to general County purposes. That the City Treasurer of the city of Charleston shall levy and collect, when the first installment of the city tax is paid, in addition to the one mill tax now provided by law, an additional tax of one mill, to be accounted for and paid over by the said City Treasurer as the said one mill tax is now accounted for and paid, and the proceeds thereof to be used in support of the public schools of said city. That the sum of five hundred dollars of the public school fund appropriated to the support of the public schools in the city of Charleston shall be used in aid of the Art School in the city of Charleston, in consideration that the instructor of such school shall give to the pupils of the city public schools such instruction in drawing as the Board of Commissioners of the public schools of the city of Charleston may require. That the County Treasurer of Charleston County be, and he is hereby, authorized and directed to borrow, from time to time, and as the same may be required, on his official note as County Treasurer, or other similar official evidence of indebtedness, a sum or sums not exceeding in all forty-five thousand dollars, at a rate of interest not exceeding seven per cent. per annum, for the purpose of paying the salaries and commissions of all County officials whose salaries and commissions are

General purposes.

Superintendent of Highways.

Interest on bonds.

Payment of bonds and notes

Continuation of stone roadway.

General County purposes.

Tax by City Treasurer for schools.

Art School.

Loan by County Treasurer.

Limit and purposes.

fixed by law; also to pay the Court expenses; also to pay the installment and interest on the County debt to mature in 1894, and also such expenditures for ordinary County purposes as require immediate payment; such sum so borrowed to be repaid, with interest thereon, by the said County Treasurer from the taxes levied upon and to be collected in the said County for the present fiscal year as soon as the same may be collected, and to constitute a valid claim against said County and a prior lien on all of the County taxes levied, except the school tax and the tax for the use of the militia in the said County, for the present and future fiscal years, until the same are paid and discharged in full; such amounts, if so borrowed, to be paid on such salaries and claims without any preference whatever. That the County Treasurer be, and he is hereby, authorized and instructed to pay on the warrant of the School Commissioner the sum of five hundred dollars, if so much be necessary, to be expended solely in the payment of salaries for the school teachers in School District No. 1 of Charleston County, and that said sum be charged against said school district and be repaid out of the school tax of said district when the same shall be collected. That all claims against the County, except the salaries and commissions of the County officers whose salaries and commissions are fixed by law, and the County Treasurer's notes herein above provided, shall be paid upon the warrants of the County Commissioners as now provided by law; the salaries and commissions of such officers whose salaries and commissions are fixed by law to be paid by the County Treasurer monthly on the receipt of such officers; and said County Commissioners are hereby required to audit all claims, except such salaries and Treasurer's notes, presented to them within ten days from the date of such presentation, and forthwith to draw their warrant on the County Treasurer for the amount so found due: *Provided,* The money to meet the same is in the hands of the County Treasurer.

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Pledge of taxes.

Exceptions.

Salaries of school teachers.

How payments are to be made.

Audit of claims.

Warrants.

Proviso.

*For the County of Colleton,* there shall be levied upon the taxable property of the County of Colleton the following: For ordinary County expenses, three mills; for interest on County railroad bonds, three-fourths of one mill; for deficiencies, one and three-fourths of one mill: *Provided,* That any surplus arising out of the levy for interest on County railroad bonds shall go to the sinking fund provided for by an Act of the General Assembly for the redemption of railroad bonds: *Provided, further,* That one thousand dollars, if so much be

Colleton 5½ mills.

Sinking fund.

Appropriation to deficiency.

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necessary, realized from the sale of liquor, be applied to deficiency, balance to County expenses: *Provided, further,*

Current County expenses.

That any fund now or hereafter subject to the check of the County Commissioners, by operation of law not necessary to be applied as therein stated, by reason of any express contract, be applied to current County expenses: *Provided, further,*

Loan.

That the County Commissioners of said County are hereby authorized and empowered to borrow such amounts of money as may be necessary to pay all Court expenses and interest on County rail-

Interest and pledge.

road bonds at a rate of interest not to exceed seven per cent. per annum, and to pledge as security for such borrowed money the tax herein levied for said purposes.

Darlington 3 mills.

*For the County of Darlington,* for ordinary County purposes, three mills; and the County Commissioners of Darlington

Loan.

County are hereby authorized and empowered to borrow money at a rate of interest allowed by law, to an amount not exceeding the total taxes assessed in said County for County purposes, and

Pledge of taxes.

to pledge the taxes of said County for such money as may be borrowed by them from time to time for the actual needs of said County and the interest thereon.

Edgefield 4⅜ mills.

*For the County of Edgefield,* for jurors and witnesses, three-eighths of one mill, and the County Commissioners of Edgefield

Loan and security.

County are hereby authorized and empowered to borrow money for said purposes and pledge the said levy of ⅜ of one mill as security therefor; for ordinary County purposes, two (2) mills; for repairs of roads, bridges and ferries, one mill; for past indebtedness, one-half of one mill; and the County Commissioners are hereby authorized to borrow money for said purposes not to exceed the sum of ten thousand dollars and pledge the levy of 3½ mills as security therefor. The County

Loan for school claims.

Treasurer and County Commissioners are authorized to borrow money not to exceed the sum of six thousand dollars to pay school claims and to pledge the levy for this purpose as security for the same.

Fairfield 4½ mills.

*For the County of Fairfield,* for ordinary County purposes, three and one-half mills; for past indebtedness, one mill; and

Loan authorized.

the County Commissioners are hereby authorized to borrow money upon such terms, and at such rate of interest, as may seem to them to be reasonable, for the purpose of paying in cash the deficiency for the fiscal year 1892 and the Court expenses of the

Transfer of funds.

year 1894. And the County Treasurer is hereby authorized and required to transfer to the fund designated "miscellaneous

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fund" all the road commutation funds now in his hands or hereafter collected by him, and to transfer all unexpended balances arising from regular tax levies and special tax levies for the fiscal year preceding the fiscal year 1892 to similar funds for the fiscal year 1892.

Florence 3 5-6 mills.

*For the County of Florence,* for ordinary County purposes, three and one-half mills; for past indebtedness, one-third of one mill.

Georgetown 5 mills. Loan by Winyah Graded School District.

*For the County of Georgetown,* for ordinary County purposes, five mills: *Provided,* The Trustees of the Winyah Graded School District of Georgetown in Georgetown County be, and they are hereby, authorized and empowered to borrow a sum not to exceed twenty-two hundred and fifty dollars to defray the expenses of continuing the exercises of the school in the aforesaid school district during the school term for the year 1893–1894, and to pledge as a security for such loan the school taxes which would have been collected this Fall and Winter but for the special Act postponing such collection until the Fall of 1894.

Pledge of taxes.

Greenville 8 mills.

*For the County of Greenville,* for ordinary County purposes, three and three-sixteenths mills; for preparing an index to the records of the Register of Mesne Conveyances, one-sixteenth of one mill; for past indebtedness, one mill; for retiring Air Line Railroad bonds, one mill; interest on Air Line Railroad bonds, one and one-fourth mills; interest on Greenville and Laurens Railroad bonds, one-half of one mill. That all balances in the hands of the County Treasurer be applied to the current expenses of the County.

Balances.

Hampton 4 mills. Application of balances.

*For the County of Hampton,* for ordinary County purposes, four mills: *Provided,* That any balance in the County treasury arising from any tax levied for the present fiscal year, not specifically appropriated, shall be applied to the next fiscal year for paying certificates of jurors and witnesses and of such Constables as may be in attendance on the Courts of General Sessions and Common Pleas.

Horry 3⅝ mills.

*For the County of Horry,* for ordinary County purposes, two and one-fourth mills; for poor of County, seven-eighths of one mill; for roads, bridges, public buildings and contingent account, etc., one-half of one mill.

Laurens 6¼ mills.

*For the County of Laurens,* for ordinary County purposes, two and three-fourths mills; for railroad tax, three and one-half mills.

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Kershaw 6½ mills.

*For the County of Kershaw,* for ordinary County purposes, four mills; for interest on railroad bonds, two and one-half mills. And that the County Commissioners of Kershaw County be,

Loans authorized.

and they are hereby, authorized to borrow from time to time, and as the same may be required, on their official note as County Commissioners, or other similar official evidence of indebtedness,

Terms and purposes.

a sufficient sum of money, at a rate of interest not exceeding eight per cent. per annum, for the purpose of paying the salaries and commissions of all County officials whose salaries and commissions are fixed by law, also to pay all Court expenses, also all teachers' pay certificates, also the jail and dieting fees of the Sheriff and all expenditures for ordinary County purposes; such

Pledge of taxes.

sums so borrowed to be repaid with interest thereon by said County Commissioners from taxes levied upon and to be collected in the said County for the present fiscal year, as soon as the same may be collected, and to constitute a valid claim against said County and a prior lien on all of the County taxes levied.

Lancaster 7¼ mills.

*For the County of Lancaster,* for ordinary County purposes, four and one-half mills; for interest on County bonds issued in aid of the Cheraw and Chester Railroad, two and three-fourths

Application of balances.

mills: *Provided,* That any balance that may remain of the funds arising from the foregoing levies, after the payment of all claims against the same, may be applied by the County Commissioners of Lancaster County to any other claim against said County.

Special township taxes.

The County Commissioners of Lancaster County are hereby authorized and required to levy a special tax of four mills in Pleasant Hill Township in said County, and a special tax of four and one-half mills in Gill's Creek Township in said County, to pay the interest on the bonds issued by the said townships, respectively, in aid of the Charleston, Cincinnati and Chicago Railroad Company.

Lexington 8½ mills.

*For the County of Lexington,* for ordinary County purposes, three mills; for special County tax, one-half of one mill, which is to be applied to making up loss of the fiscal year of 1877–78;

Special township taxes.

for interest on bonds in aid of the Columbia, Newberry and Laurens Railroad, in Broad River Township, four mills, and three mills in Fork and Saluda Townships for a sinking fund for the purpose of retiring railroad bonds: *Pro-*

Loans authorized.

*vided,* That in anticipation of the collection of said tax the County Commissioners be, and they are hereby, authorized to borrow, on the credit of the County, and upon the pledges of

Pledge of taxes.

the taxes first collected, and turn over to the County Treasurer,

the sum of six thousand dollars, if so much be necessary, for the current expenses of the County for the fiscal year ending October 31st, 1894, at a rate of interest not exceeding seven per cent. per annum: *And provided, further,* That the County Treasurer and County School Commissioner of Lexington County be, and they are hereby, authorized to borrow, from time to time during the fiscal year, such sums of money as may be necessary to pay the school claims of said County, not to exceed the sum of seven thousand dollars, at a rate of interest not to exceed seven per cent., and to pledge the taxes to be collected for that purpose for the payment of the money so borrowed and the interest thereon, and the County Commissioners be, and are hereby, authorized to use the funds arising from the special County tax of ½ mill hereinbefore provided for such County purposes as they deem proper: *Provided,* That all money borrowed shall be held and paid out by the County Treasurer as now provided by law.

A. D. 1893.

Loans for schools.

Pledge of taxes.

Proviso.

*For the County of Newberry,* for ordinary County purposes, three mills; for deficiencies, three-fourths of one mill; and the County Commissioners are hereby authorized to borrow sums of money, from time to time, not exceeding in the aggregate seven thousand dollars, if so much be necessary, and to pledge the first collection of taxes for ordinary County purposes for the payment of the sum so borrowed and the interest thereon, and the Treasurer of Newberry County is hereby authorized and required to use the money collected from the taxpayers of No. 1 Township to pay interest on bonds issued in aid of the Charleston, Cincinnati and Chicago Railroad, amounting to two hundred and thirty-nine dollars and ninety-three cents, to the payment of interest on bonds issued in aid of the Columbia, Newberry and Laurens Railroad. He is also authorized and required to place to the credit of the school fund of No. 8 Township the sum of sixty-four dollars and forty-five cents, this amount having been collected from the taxpayers of No. 8 Township to pay interest on bonds issued in aid of the Charleston, Cincinnati and Chicago Railroad.

Newberry 3¾ mills.

Loans authorized.

Pledge of taxes.

Appropriation of a township tax.

*For the County of Marlboro,* for ordinary County purposes, three and one-half mills; all claims to be paid in the order of their priority.

Marlboro 3½ mills.

*For the County of Marion,* for ordinary County expenses, three mills; for past indebtedness, three-fourths of one mill (¾.) That the County Commissioners of Marion County be, and they are hereby, authorized and empowered to borrow money at any rate

Marion 3¾ mills

Loans authorized.

A. D. 1893.

of interest allowed by law to the extent of two-thirds (⅔) of total taxes assessed against said County for County purposes, and to pledge the taxes of said County for such moneys as from time to time may be borrowed for actual needs of said County. That the County Treasurer and County School Commissioner are hereby empowered and authorized to borrow, at any reasonable rate of interest now allowed by law, such sums of money as may be necessary to pay the school claims of said County, and pledge the taxes to be collected for that purpose for the payment of money so borrowed and the interest thereon: *Provided*, That the total amount so borrowed shall not exceed three-fourths of the total amount of taxes levied for school purposes.

Pledge of taxes.

Loans for schools.

Pledge of taxes.

Limit.

Oconee 3 7-10 mills.

*For the County of Oconee*, for ordinary County purposes, two and one-half mills; for Court expenses for the year 1894, one mill; for improvement of roads, one-fifth of one mill.

Orangeburg 3 mills.

*For the County of Orangeburg*, for ordinary County purposes, three mills.

Pickens 10¾ mills.

*For the County of Pickens*, for ordinary County purposes, three mills; for railroad bonds, four mills; for Court House bonds, three-fourths of one mill; for past indebtedness, three mills. And the County Commissioners are authorized to use any overplus from any levy for any County purpose they may see fit.

Surplus.

Spartanburg 7 mills.

*For the County of Spartanburg*, for ordinary County purposes, three and one-quarter mills; for interest on railroad bonds, one and one-half mills; for sinking fund, one mill; for Court House, one mill; for past indebtedness, one-fourth of one mill.

Sumter 4½ mills.

*For the County of Sumter*, for ordinary County purposes, three mills; for past indebtedness, one-half of one mill; that any balance remaining after paying deficiencies shall be used for ordinary purposes; and the County Commissioners are authorized to borrow the necessary amounts to pay jurors, witnesses and Court Constables: *Provided*, That said Commissioners shall not pay a higher rate of interest or discount than eight (8) per cent. per annum.

Surplus.

Loans.

Proviso.

Union 9½ mills.

*For the County of Union*, for ordinary County purposes, four and one-half mills; for interest on Spartanburg and Asheville Railroad bonds, three and one-half mills; for retiring railroad bonds, one and one-half mills; and the County Commissioners of Union County are authorized, in anticipation of the collection of the tax for interest on railroad bonds, and for ordinary County purposes, to borrow a sum of money equal to the amount

Loans authorized.

of levies for said purposes, and to pledge the same for the amount so borrowed: *Provided*, That they borrow said amount at a rate not to exceed seven (7) per cent. per annum. A. D. 1893. Pledge of taxes. Interest.

*For the County of Williamsburg*, for ordinary County purposes, four and one-half mills; and the County Commissioners of Williamsburg are hereby authorized to borrow two thousand dollars for the purpose of paying jurors, witnesses and Constables for the Courts of General Sessions and Common Pleas for the fiscal years of 1893 and 1894, and to pledge therefor the levy made for ordinary County purposes, and to pay a rate of interest not exceeding eight per cent. per annum on such loans; after paying jurors, witnesses and Constables, if there remain a balance of said fund, the same to be applied to any outstanding indebtedness. Williamsburg 4½ mills. Loan authorized. Pledge of taxes. Rate of interest. Balances.

*For the County of York*, for ordinary County purposes and past indebtedness, three and one-fourth mills. The County Commissioners of York County are hereby authorized also to levy a special tax to meet the interest on the bonds issued in aid of the Charleston, Cincinnati and Chicago Railroad Company in the following townships in York, to wit: In Catawba Township, four mills; in Cherokee Township, three mills; in Ebenezer Township, four mills; in York Township, six mills. And the County Commissioners of York County are hereby authorized, and, in the event they find it necessary, empowered, to borrow, at a rate of interest not exceeding eight per cent. per annum, a sum of money sufficient to pay the judgment of P. P. Dickinson against York Township. And the County Commissioners of York County be, and they are hereby, further authorized to borrow the sum of seven thousand (7,000) dollars, and to pay interest not exceeding eight per cent. per annum, for the purpose of relieving the last tax levy made in said County for ordinary County purposes of the pledge made by them to secure a loan of ten thousand dollars for the purpose of rebuilding the Court House at Yorkville, agreeable to the provisions of Section 2 of an Act entitled "An Act to raise supplies and make appropriations for the fiscal year commencing November the 1st, 1892," approved December 24th, 1892, and to pledge the levy herein made for the fiscal year commencing November 1st, 1893, for ordinary County purposes to secure the repayment of said new loan, as in the first instance. And all sums of money in the hands of the County Treasurer of York County on the 15th day of October, 1893, belonging to the commutation road tax York 3¼ mills. Special township taxes. Loan to pay judgment. Other loans. Ante 42. Pledge of taxes. Transfer of funds.

A. D. 1893. fund may be expended by the County Commissioners of said County for ordinary County purposes.

Berkeley 7⅜ mills. *For the County of Berkeley*, for ordinary County purposes, three and three-eighths mills; for Court expenses, one and seven-eighths of one mill; for Poor House and poor, seven-eighths of one mill; for bonds and interest, one-fourth of one mill; for repairing and rebuilding bridges, one mill. And the

Loan authorized. County Commissioners are hereby authorized to borrow a sum of

Pledge of taxes. money not exceeding twenty thousand dollars and to pledge the first collection of taxes for ordinary County purposes for the payment of the sum borrowed and the interest thereon; said

Application of proceeds. money so borrowed to be applied in the following order: Five thousand dollars, if so much be necessary, to the rebuilding and repairing of bridges, and next to the payment of jurors, witnesses and Constables and Court expenses, and the balance to general County purposes.

Richland 4¾ mills. *For the County of Richland*, for ordinary County purposes, two and three-fourths of a mill; for public buildings, one-fourth of one mill; for jurors and witnesses 1893–94, three-fourths of one mill; for interest on railroad bonds, three-fourths of one mill; for retiring railroad bonds, one-fourth of one mill. And

Special school tax in Columbia in addition thereto there shall be levied a tax of two and one-half (2½) mills in the school district of the city of Columbia in lieu of any special tax authorized to be levied by an Act entitled

17 Stat., 404. "An Act to provide for establishment of a new school district in Richland County, and to authorize the levy and collection of a local tax therein," approved December 24, 1884.

Profits of Penitentiary to be paid into State Treasury. SEC. 3. That the Board of Directors of the State Penitentiary are hereby directed to pay into the Treasury of the State at the end of each three months, or within five days thereafter, all amounts received by them from the hire of convicts and from other sources, after first paying the necessary expenses of the said institution and all other disbursements authorized by law. the said amounts so paid into the Treasury to be held subject to warrants of the Comptroller-General to pay amounts appropriated by the General Assembly in the same manner as other

Location of convicts. funds in the Treasury. And the Board of Directors are hereby instructed, as far as practicable, in hiring out or working convicts, to hire or work the same on farms in healthy locations and which are exempt from danger of overflow.

Deposit of State moneys. SEC. 4. That all the proceeds of the taxes levied for and on account of the State, as specified herein, shall be deposited and

kept by the State Treasurer in such bank or banks, or places of special deposit, as in the judgment or discretion of the Governor, the Comptroller-General and the State Treasurer, or any two of them, shall afford sufficient protection to the interests of the State.

Auditors and Treasurers to collect taxes.

SEC. 5. That the County Auditors and County Treasurers of the several Counties of this State are hereby required, under the direction and supervision of the Comptroller-General, to make collections of the taxes levied under and pursuant to the provisions of this Act in the manner and at the time and under the conditions hereinafter provided; and they are hereby forbidden to collect any other tax whatsoever levied for the fiscal year unless herein expressly authorized so to do, except the taxes authorized by law to meet the interest and retire the bonds issued by Counties and townships in aid of railroads, or taxes voted by towns or Counties, or assessed upon townships as subscriptions to railroads, and taxes to build fences, under statutes authorizing and directing the same, and except, also, the special school tax authorized to be levied in any school district of the State, and except such special tax or collection as is authorized by any Act or Joint Resolution of the General Assembly. And the County Treasurers of the several Counties of this State are hereby prohibited from collecting any tax except such as have been first entered on the tax duplicates of their respective Counties, or upon the orders of the Auditors of said Counties: *Provided*, That said County Treasurers shall furnish the County Auditor of their respective Counties with the names of all taxpayers as may apply to pay their taxes, against whom no taxes shall have been entered on the tax duplicates. And any State or County officer who shall fail to comply with, or shall evade, or attempt to evade, the provisions of this Act shall be deemed guilty of a felony, and upon conviction thereof shall be punished by fine not to exceed five thousand dollars, or imprisonment for a period of not more than five years, or both, in the discretion of the Court.

No other tax to be collected except, &c.

All taxes to be on duplicate.

List of taxpayers not on duplicate.

Penalties for violation of this Act.

Poll tax.

SEC. 6. That there shall be assessed upon all taxable polls in this State a tax of one dollar on each poll, the proceeds of which tax shall be applied solely to educational purposes. Every male citizen between the ages of twenty-one and fifty years, except those incapable of earning a support from being maimed or from other causes, and except those who are now exempt by law, shall be deemed taxable polls; and should any person fail or refuse to

Who liable.

Penalty for non-payment.

A. D. 1893. pay said poll tax, he shall be deemed guilty of a misdemeanor, and on conviction of the same before any Trial Justice or other Court having jurisdiction thereof shall be punished by a fine which shall not exceed ten dollars, together with the cost of said suit, or by imprisonment in the County jail for a term not exceeding thirty days.

In what funds payable. SEC. 7. That all taxes assessed and payable under this Act shall be paid in the following kinds of funds and no other: Gold and silver coin, United States currency, National Bank notes, and coupons which shall become due and payable during the year 1894 on the Consolidated bonds of this State known as "Brown Bonds," and the bonds of this State known as "Blue Bonds," and on any other State bonds which may be issued by authority of an Act of the General Assembly, the coupons of which are by such Act made receivable for taxes: *Provided, however*, That jury certificates and the per diem of State witnesses in the Circuit Court shall be receivable for County taxes, not including school taxes.

Jury and witness certificates.

When payable. SEC. 8. That all taxes herein assessed shall be due and payable from the fifteenth day of October to the thirty-first day of December, 1894, and the several County Treasurers shall collect the same in the manner prescribed by law, and give receipts therefor to the several parties paying the same, in which the real estate paid on shall be briefly described, and the value of the personal property paid on shall be stated, together with the time such taxes are paid and the amount of the same.

Receipts.

Notice to be given by County Treasurers. SEC. 9. That the County Treasurers immediately upon the receipt of the tax duplicate for the year from the County Auditors shall cause a notice to be inserted twice in one daily newspaper published at the County seat of their County, and if no daily paper be published at such County seat, then in one weekly paper published in such County seat, and if no paper be published in the County, then such notice shall be given in such manner as the County Treasurer may direct, stating the rate per centum of the levy for State purposes and the rate per centum for all other purposes on the duplicate for the present fiscal year; and if any special levies have been made on the property of a school or other district not affecting an entire County, the total rate of levies in such district shall also be stated in such notice.

Collection from delinquents. SEC. 10. That when the taxes and assessments, or any portion thereof, charged against any property or party on the duplicate for the present fiscal year shall not be paid on or before the

thirty-first day of December, 1894, the County Treasurer shall proceed to collect the same, together with the penalty of fifteen per centum on the amount so delinquent; and if the amount of such delinquent taxes, assessments and penalties shall not be paid on or before the fifteenth day of January, 1895, or collected by distress or otherwise, then the same shall be treated as delinquent taxes on such real and personal property, and shall be collected by sale of such real and personal property according to law. A. D. 1893. Sale of property.

SEC. 11. That all personal property subject to taxation shall be liable to distress and sale for the payment of taxes and assessments as provided by law. Personal property delinquent.

SEC. 12. That all real property returned delinquent by the County Treasurer upon which the taxes shall not be paid by distress and sale of personal property or otherwise shall be seized and sold as provided by law: *Provided*, That distress and sale of personal property shall not be a condition precedent to the seizure and sale of any real property hereunder. Real property delinquent.

SEC. 13. That the County Commissioners in each of the several Counties of this State shall levy a tax of two mills on the dollar upon all taxable property of their respective Counties for the support of public schools in their respective Counties, which shall be collected at the same time and by the same officers as the other taxes for this year, and shall be held in the County treasuries of the respective Counties and paid out exclusively for the support of public schools as provided by law. School tax.

SEC. 14. That all personal property used in connection with mines and mining claims, and all lands not actually mined connected with mines and mining claims, shall be assessed for taxation, and be taxed, as is done in the case of other personal and real estate. That in all cases where land is actually mined, such land shall not be assessed for taxation or taxed, but in lieu thereof the gross proceeds alone of such mines and mining claims shall be assessed and taxed, and such gross proceeds shall be ascertained and determined by the cash market value of the material mined. Mines and mining claims.

SEC. 15. That in anticipation of the collection of the taxes hereinbefore levied, the Governor and the State Treasurer be, and they are hereby, empowered to borrow on the credit of the State so much money as may be needed to meet promptly at maturity the interest which shall mature during the year 1894 on the valid debt of the State and to pay the current expenses of the Governor and Treasurer may borrow.

A. D. 1893. Limit. State Government for the present fiscal year: *Provided*, That the sum so borrowed shall in no event exceed the amount of three hundred thousand ($300,000) dollars.

When to take effect. SEC. 16. That this Act shall take effect from and immediately after its approval.

Approved December 23d, A. D. 1893.

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No. 315. AN ACT TO AMEND SECTION 8 OF AN ACT ENTITLED "AN ACT TO RAISE SUPPLIES AND MAKE APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING NOVEMBER 1ST, 1892," APPROVED DECEMBER 24TH, A. D. 1892.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. A. 1892, 88, ante 44, amended. Section 8 of an Act entitled "An Act to raise supplies and make appropriations for the fiscal year commencing November 1st, 1892," approved December 24th, 1892, be, and the same is hereby, amended by striking out on lines three and four the words "and in no event shall an extension beyond the time herein prescribed be granted." So that said Section as amended shall read as follows:

Amendment.

When payable in 1893. SECTION 8. That all taxes herein assessed shall be due and payable from the fifteenth day of October to the thirty-first day of December, 1893, and the several County Treasurers shall collect the same in the manner prescribed by law, and give

Receipts. receipts therefor to the several parties paying the same, in which the real estate paid on shall be briefly described, and the value of the personal property paid on shall be stated, together with the time such taxes are paid and the amount of the same.

Approved December 23d, A. D. 1893.

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No. 316. AN ACT TO MAKE APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR COMMENCING NOVEMBER 1ST, 1893.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the ordinary expenses of the State Government for the fiscal year commencing November 1st, 1893:

A. D. 1893.

General appropriation clause.

## EXECUTIVE DEPARTMENT.

Executive Department.

SEC. 2. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Executive Department, as follows:

Governor's Department.

2. For the salary of the Governor, thirty-five hundred dollars; for the salary of the Governor's Private Secretary, fifteen hundred dollars; for the salary of the Governor's Messenger, four hundred dollars; for the contingent fund of the Governor for rewards and other purposes, five thousand dollars; for stationery and stamps for the Governor, three hundred ($300) dollars.

Secretary of State's Department.

3. For the salary of the Secretary of State, twenty-one hundred dollars; for the salary of the Clerk of the Secretary of State, fifteen hundred dollars; for the contingent fund of the Secretary of State, one hundred and seventy-five dollars; for stationery and stamps for the Secretary of State, four hundred and twenty-five dollars.

Comptroller-General's Department.

4. For the salary of the Comptroller-General, twenty-one hundred dollars; for the salary of the Chief Clerk of the Comptroller-General, fifteen hundred dollars; for the salary of the Bookkeeper of the Comptroller-General, fifteen hundred dollars; for the contingent fund of the Comptroller-General, two hundred dollars; for stationery and stamps for the Comptroller-General, two hundred and fifty dollars; for printing for the Comptroller-General, two hundred dollars; for the use of the Comptroller-General in examining the books and papers and accounts pertaining to the offices of the Auditors and Treasurers of the respective Counties, as required by law, (Section 224 of the General Statutes,) three hundred dollars, if so much be necessary, to be paid upon the warrant of the Comptroller-General, who shall file as vouchers itemized statements of the actual expenses incurred in each inspection, sworn to by the person making the inspection.

Vouchers of inspection expenses.

State Treasurer's Department.

5. For the salary of the State Treasurer, twenty-one hundred dollars; for the salary of the Chief Clerk of State Treasurer, fifteen hundred dollars; for the salary of the Bookkeeper (Loan Department) of the State Treasurer, fifteen hundred dollars;

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for the salary of the General Bookkeeper of the State Treasurer, fifteen hundred dollars; for the contingent fund of the State Treasurer, two hundred dollars; for stationery and stamps for the State Treasurer, two hundred dollars.

Superintendent of Education's Department.

6. For the salary of the Superintendent of Education, twenty-one hundred dollars; for the salary of the Clerk of the Superintendent of Education, six hundred dollars; for the contingent fund of the Superintendent of Education, one hundred and fifty dollars; for stationery and stamps for the Superintendent of Education, one hundred and fifty dollars; for printing books and blank forms for the use of the public schools, six hundred dollars; for the traveling expenses of the State Superintendent of Education and the State Board of Examiners and board of the members of the said Examining Board, three hundred dollars, if so much be necessary: *Provided,* That an itemized statement of such expenses be kept by the State Superintendent of Education and reported by him to the next General Assembly.

Traveling expenses.

Itemized statement.

Adjutant and Inspector-General's Department.

7. For the salary of the Adjutant and Inspector-General, fifteen hundred dollars; for the salary of the Clerk of the Adjutant and Inspector-General, twelve hundred dollars; for the salary of the State Armorer, five hundred dollars; for the contingent fund of the Adjutant and Inspector-General, one hundred dollars; for stationery and stamps for the Adjutant and Inspector-General, one hundred dollars; for collecting arms, freight, advertising, printing, expenses of inspections, purchasing missing parts of arms and ammunition, five hundred dollars, if so much be necessary.

Military companies.

8. For the purpose of assisting companies to maintain their organizations, ten thousand dollars, to be distributed by the Adjutant and Inspector-General in accordance with the provisions of the Militia Laws of the State, if so much be necessary, to be paid on the order of the Adjutant and Inspector-General upon the warrant of the Comptroller-General.

Attorney-General's Department.

9. For the salary of the Attorney-General, twenty-one hundred dollars; for the salary of the Assistant Attorney-General, fifteen hundred dollars; for the contingent fund of the Attorney-General, one hundred and fifty dollars; for stationery and stamps for the Attorney-General, seventy-five dollars; for the expenses of litigation, two thousand and five hundred dollars, if so much be necessary; and the Attorney-General is hereby authorized and required to conduct all litigations which may be necessary for any of the departments of the State Government,

Attorney-General to conduct all litigation.

or any of the Boards connected therewith, and all such departments or Boards are hereby forbidden to employ any counsel for any purpose except through the Attorney-General and upon his advice: *Provided*, That this provision shall not apply to suits pending prior to December 22d, 1882: *Provided, further*, That out of the litigation fund the Attorney-General shall also pay for dockets and blank indictments for the several Circuit Solicitors and such other expenses incidental to prosecutions he may deem advisable. A. D. 1883. Provisoes. Dockets and indictments for Solicitors.

10. For the salary of the State Librarian, one thousand dollars; for the contingent fund of the State Librarian, one hundred and twenty-five dollars; for stationery and stamps for the State Librarian, two hundred and fifty dollars; for purchasing books for the State Library, four hundred dollars, if so much be necessary, to be expended by the State Librarian under the direction of the Chairmen of the Committees on Legislative Library of the Senate and House. State Librarian. Books.

11. For the salary of the State House Keeper, five hundred dollars; for the contingent fund of the State House Keeper, for work on State House grounds, one hundred dollars, if so much be necessary: *Provided*, That the Superintendent of the Penitentiary be required, whenever called on by the Keeper of the State House, to furnish such convict labor as he may need to keep said grounds in good order. State House Keeper and grounds. Convict labor.

12. For the salary of the two Watchmen, to be appointed by the State House Commission, for the State House and grounds, eight hundred dollars. Watchmen.

13. For the salary of the Janitor of the State House, to be appointed by the State House Commission, one hundred and sixty dollars. Janitor.

14. For the salary of Engineer of the State House heating apparatus (for seven (7) months during the year), seventy-five dollars per month; for the salary of two Firemen of the State House heating apparatus (for seven (7) months during the year), twenty-five dollars per month each; and the Engineer be paid twenty-five dollars per month for the balance of the year for keeping in order the engine, boilers, &c., the Engineer and Firemen to be appointed by the State House Commission: *Provided*, That he attend to them at least once in every fifteen days; this amount to be in full of all charges for labor. Engineer and assistants. Proviso.

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## JUDICIAL DEPARTMENT.

Judicial Department.

SEC. 3. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Judicial Department, as follows:

Justices of Supreme Court.

2. For the salary of the Chief Justice, four thousand dollars; for the salaries of the two Associate Justices, seven thousand dollars.

Circuit Judges. Solicitors. Stenographers.

3. For the salaries of the eight Circuit Judges, twenty-eight thousand dollars; for the salaries of the eight Circuit Solicitors, twelve thousand five hundred dollars; for the pay of the Stenographers of the Circuit Courts, ten thousand dollars.

Clerk of Supreme Court. State Reporter. Librarian and Messenger. Contingent fund. Books. Attendant.

4. For the salary of the Clerk of the Supreme Court, one thousand dollars; for the salary of the State Reporter, one thousand dollars; for the salary of the Librarian of the Supreme Court, eight hundred dollars; for the pay of the Messenger of the Supreme Court, two hundred dollars; for the contingent fund of the Supreme Court, five hundred dollars; for the purchasing of books for the Supreme Court Library, seven hundred and fifty dollars; for salary of Attendant on Supreme Court, two hundred and fifty dollars.

S. C. Reports.

5. For purchasing one hundred copies each of the 39th and 40th volumes of the Supreme Court Reports, nine hundred dollars.

## HEALTH DEPARTMENT.

Health Department.

SEC. 4. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Health Department, as follows:

Quarantine at Charleston.

2. For the salary of the Quarantine Officer of Charleston, eighteen hundred dollars; for the expenses of maintaining Quarantine Station, Charleston harbor, one thousand dollars.

St. Helena.

3. For the salary of the Quarantine Officer at St. Helena, eight hundred dollars; for expenses of Quarantine Station at St. Helena, one hundred and fifty dollars; for repairs of Quarantine Station at St. Helena, twelve hundred dollars.

Port Royal.

4. For the salary of the Quarantine Officer at Port Royal, eight hundred dollars; for the expenses of Quarantine Station at Port Royal, three hundred dollars; for the salary of the Keeper of the hospital building at Port Royal, two hundred dollars; for repairs of Quarantine Station at Port Royal, six hundred dollars.

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5. For the salary of the Quarantine Officer at Georgetown, five hundred dollars; for the expenses of Quarantine Station at Georgetown, one hundred and fifty dollars. Georgetown.

6. For the salary of the Keeper of the Lazaretto, four hundred dollars. Lazaretto.

7. For the purpose of carying out the provisions of the Act establishing a State Board of Health, fifteen hundred dollars, if so much be necessary. State Board of Health.

8. For the purpose of carrrying out the provisions of an Act for quarantining the State against contagious and infectious disease, three thousand dollars, to be expended under the supervision and by the consent of the Governor. Contagious diseases.

## Tax Department.

Sec. 5. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Tax Department, as follows: Tax Department.

2. For the salaries of the County Auditors, twenty-two thousand and five hundred dollars. Auditors.

3. For printing books, &c., for the County Auditors and Treasurers, two thousand and five hundred dollars. Printing books.

## South Carolina University.

Sec. 6. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the South Carolina University, namely: South Carolina University.

2. For the support of the schools in the South Carolina College at Columbia, thirty thousand dollars; to include ordinary repairs, general expenses, improvement of buildings, and for the library and salary of Librarian, to be paid upon the application of the Board of Trustees, on the warrant of the Comptroller-General: *Provided*, That by next session the Trustees shall provide for admitting as Normal students, without fees for tuition or matriculation, two young men from each County, and shall establish suitable courses of study for the same; and, also, South Carolina College. Normal students.

2. That by the same time the Trustees shall provide for admitting young women qualified to enter the College not below the junior class. Women students.

3. For the Claflin College, at Orangeburg, to be paid on the application of the Board of Trustees of the South Carolina University, on the warrant of the Comptroller-General, five thousand dollars. Claflin College.

A. D. 1893.

Citadel Academy.

4. For the support of the beneficiary cadets at the Citadel Academy, twenty thousand dollars, to be paid on the warrants of the Comptroller-General, issued upon the requisition of the Chairman of the Board of Visitors of said Academy.

Winthrop Normal College.

5. That the sum of five thousand two hundred and fifty dollars, if so much be necessary, be, and the same is hereby, appropriated for the scholarships provided by law for the South Carolina Industrial and Winthrop Normal College for the scholastic year beginning in September, 1894, and ending in June, 1895.

S. C. Industrial and Winthrop Normal College.

6. For the salaries of the expert teachers in the South Carolina Industrial and Winthrop Normal College, and for increased expenses incident to the full operation of the two years' course of study, ten thousand dollars.

Buildings.

7. For the building and equipping of dormitories for the South Carolina Industrial and Winthrop Normal College, fifty thousand dollars.

## Penal and Charitable Institutions.

Appropriation.

Sec. 8. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the penal and charitable institutions of this State, as follows:

### *South Carolina Penitentiary.*

Officers of Penitentiary.

2. For the salary of the Superintendent of the Penitentiary, twenty-one hundred dollars; for the salary of the Captain of the Guard, twelve hundred dollars; for the salary of the Physician of the Penitentiary, to be appointed by the Superintendent of the Penitentiary, twelve hundred dollars; for the salary of the Chaplain of the Penitentiary, to be appointed by the Superintendent of the Penitentiary, six hundred dollars; for the salary of the Clerk of the Penitentiary, twelve hundred dollars; for which amount the Comptroller-General is authorized and directed to issue his warrants. That any balance in the hands of the Board of Directors of the South Carolina Penitentiary on October 31st, 1893, together with all other amounts received or to be received from the hire of convicts, or from any other source during the current fiscal year, be, and the same are hereby, appropriated for the support of the Penitentiary, and for other purposes hereinafter indicated, and for any purposes required by law which are not herein indicated. For the per diem and mileage of the Directors of the South Carolina Penitentiary, each of whom shall be entitled to receive four dollars per diem for each

Income of Penitentiary.

Per diem and mileage of Directors.

A. D. 1893.

day of actual attendance on the meetings of the said Board, and five cents per mile for the actual distance traveled by the most direct route going to and returning from the home of said Director to the place of meetings of said Board, and the annual report of the Superintendent of the South Carolina Penitentiary shall contain, in separate account, an itemized statement of the amount expended for account of said per diem and mileage, showing the amount paid to each Director on each of said accounts, two thousand dollars, if so much be necessary; for the current expenses of the Penitentiary, so much as may be necessary; for the purchase of arms and ammunition, two hundred dollars, if so much be necessary; for the purchase of Bibles, Testaments and other religious literature for the use of the convicts, forty dollars; for past indebtedness for expenses of transportation of convicts to the Penitentiary, six hundred and eighty-eight and 19-100 dollars.

Itemized statement.

Current expenses, arms, &c

Bibles, &c.

Past indebtedness.

*South Carolina Lunatic Asylum.*

3. For the salary of the Superintendent and Physician of the Lunatic Asylum, three thousand dollars; for the per diem and mileage of the Board of Regents of the Lunatic Asylum, each of whom shall be entitled to receive four dollars per day for each day actually engaged in attending the meetings of said Board, and mileage of five cents per mile for each mile actually traveled, twelve hundred dollars, if so much be necessary; for the current expenses in support of the Lunatic Asylum, one hundred thousand dollars; for patients' library, one hundred and fifty dollars, to be paid as other appropriations. The sum of five hundred dollars, appropriated by the General Assembly of 1889 for the education of feeble-minded children contained in the Lunatic Asylum is hereby appropriated for the sanitary purposes of that institution.

Superintendent and Regents.

Current expenses.

Library.

Transfer of past appropriation.

*The Deaf, Dumb and the Blind Asylum.*

4. For the support of the Deaf, Dumb and the Blind Asylum, seventeen thousand dollars, if so much be necessary; for repairs, five hundred dollars.

Cedar Springs Institute.

*Catawba Indians.*

For the Catawba Indians, eight hundred dollars, to be paid upon the application of the Agent, upon the warrant of the Comptroller-General: *Provided,* That said Agent, before receiv-

Catawba Indians.

Agent to give bond.

A. D. 1893.

ing said warrant, enter into bond in the sum of sixteen hundred dollars, with security to be approved by the Governor, for the faithful discharge of his duty in the disbursement of any funds which may hereafter come into his hands: *Provided, further,* That the said fund be distributed among the Catawba Indians living in South Carolina.

Proviso.

MISCELLANEOUS.

Appropriation.

SEC. 9. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated for miscellaneous expenses, as follows:

Civil contingent fund.

2. For the Civil Contingent Fund, one thousand dollars, to be paid on the order of the Governor, upon the warrant of the Comptroller-General.

Water in public buildings.

3. For the purposes of an Act entitled "An Act to provide for the payment of water used in the public institutions of the State located in Columbia," approved February 9th, 1882, two thousand dollars, to be paid on the warrant of the Comptroller-General, issued in accordance with the provisions of said Act.

17 Stat., 944.

Consolidation of bonded debt.

5. For defraying the expenses of the continuance of the consolidation of the bonded debt of the State, as provided by law, one thousand dollars, if so much be necessary, to be paid on the application of the State Treasurer, upon the warrant of the Comptroller-General; to pay Judge J. B. Kershaw and his clerk for superintending and preparing the Confederate rolls and a sketch of the historic incidents pertaining to the civil war, thirteen hundred dollars.

Confederate rolls.

Claims.

6. To pay the claims passed by the General Assembly at this, its regular session of 1893, three thousand dollars, if so much be necessary, to be paid by the State Treasurer upon the warrants of the Comptroller-General; for the salary of J. E. Breazeale, Commissioner to revise the Statutes of the State, for the completion of the revision and superintending the printing thereof, five hundred dollars.

Revision of Statutes.

Public printing.

7. To pay for the public printing of this fiscal year, twenty thousand dollars, if so much be necessary.

Railroad Commission.

8. For the salaries of the Railroad Commissioners, six thousand three hundred dollars; for the salary of the Clerk of the Railroad Commissioners, twelve hundred dollars, and three hundred and fifty dollars to pay the contingent expenses of the office for the fiscal year commencing November 1st, 1893, if so much be necessary, to be advanced by the State until the same shall have

A. D. 1893.

been collected from the railroad companies of this State in the manner prescribed by law, and when collected the same shall be replaced in the State Treasury.

Supervisors of Registration.

9. For the salaries of the Supervisors of Registration, seven thousand and fifty dollars; that is to say, to pay the Supervisor of Registration for each County in the State, except Charleston County, the sum of two hundred dollars for the services to be rendered during the fiscal year commencing November 1st, 1893; and to the Supervisor of Registration for Charleston County, the sum of two hundred and fifty dollars for services to be rendered during the same period; said amounts to be paid one-half on the first day of June, 1894, and the remaining one-half on the first day of November, 1894, out of any money in the Treasury not otherwise appropriated.

Transportation of convicts.

10. For the transportation of convicts to the Penitentiary from the several Counties of this State, five thousand dollars, if so much be necessary, to be paid on the application of the Superintendent of the Penitentiary, approved by the Board of Directors, upon the warrant of the Comptroller-General.

Governor's Mansion.

11. For repairs and improvements to the Governor's Mansion and for insurance and lighting of the same, five hundred dollars, if so much be necessary, to be paid on the order of the Governor, upon the warrant of the Comptroller-General.

Lighting State House.

12. For paying for lighting the State House and grounds, twelve hundred dollars, if so much be necessary.

Fuel.

13. To pay for fuel for the purpose of heating the State House, nine hundred dollars, if so much be necessary.

Pensions.

19 Stat., 826.

Clerical expenses.

14. For the purpose of an Act entitled "An Act to provide for the relief of certain soldiers, sailors and widows of soldiers or sailors of the late war betwen the States," approved December 24th, A. D. 1887, or Acts amendatory thereto, and clerical expenses incident thereto not to exceed four hundred dollars, and one hundred and twenty dollars additional for necessary stationery and postage expenses incident thereto, fifty thousand dollars, if so much be necessary; said appropriation, except as to clerical expenses, to be paid at such times during the current fiscal year as may be designated by the State Board of Pensioners: *Provided,* That the Pension Board shall, before paying out any of the amount hereby appropriated, revise the whole list of pensioners and pay only those found to be in actual need of support whose names are now on the list or may hereafter be put thereon: *Provided, further,* That the Governor be, and he is

Revision of lists.

Loan.

A. D. 1893.

hereby, authorized to borrow from time to time such amounts as may be necessary to meet this appropriation: *Provided, further,*

Warrants to Clerks of Court.

That the Comptroller-General is authorized to issue his warrant to the Clerks of Court of the several Counties for such amounts as may be determined as belonging to the pensioners of such County, to be by him disbursed according to law.

Index Clerk.

15. To pay the salary of the Index Clerk in the Secretary of State's office, twelve hundred dollars, to be paid as provided in Joint Resolution to provide for the indexing of all records in the

20 Stat., 294.

office of Secretary of State, approved December 23d, A. D. 1889.

Phosphate Commission.

16. For the expenses of Phosphate Commission, twenty-five hundred dollars.

Fish Patrol.

17. For the per diem of the Fish Patrol on Waccamaw, Pee

20 Stat., 1118.

Dee, Bull Creek Rivers and Winyah Bay, as provided by law, the sum of five hundred and twenty-five dollars.

Messengers of Election.

18. For the pay of Messengers of Election, twelve hundred dollars.

Election expenses.

19. To pay for books, blanks and stationery for general election, five hundred dollars.

Registration books.

20. To pay for books and certificates of registration, five hundred dollars, if so much be necessary.

Other election expenses.

21. For the pay of Commissioners and Managers of Election, fifteen thousand dollars; to pay for advertising notices of elec-

Election notices

tion, two thousand dollars: *Provided,* That all notices of election published in the newspapers throughout the State shall be printed unleaded and in type not larger than brevier, and no more shall be charged or paid for any such notices than one dollar per square for first insertion and fifty cents per square for the second or subsequent insertion.

Fish Commissioner.

22. For the salary of the Fish Commissioner, five hundred dollars.

Litigation fund.

23. That the sum of three thousand two hundred and eighty-five dollars and one cent, if so much be necessary, be, and the same is hereby, appropriated to pay the three notes given to raise funds for the litigation fund of the Attorney-General.

Reports in R. R. cases.

24. For the State's one-half of fees for stenographic reports and typewriting of the testimony in the railroad cases, two hundred and seventy-two dollars and thirty-seven cents.

Special fees.

25. For fees to Fishburn & Gruber, for legal services rendered in case of escheat at Walterboro, seventy-five dollars. For fee of Jefferies & Earle, in case of C., C. & A. R. R.

Co. *vs.* W. H. Gibbes, County Treasurer, *et al.*, one thousand dollars. A. D. 1893.

26. For the completion of the Colonial records, two thousand and five hundred dollars. Colonial records.

27. For defraying the expenses of five or more Commissioners to locate the position of the South Carolina troops on the battle field of Chicamauga, converted into a National Military Park, seven hundred and fifty dollars, if so much be necessary. Chicamauga Commission.

28. For a pension to Drury L. Lumsden, a disabled Confederate soldier, Joshua Gunter and Samuel Campbell, blind Confederate soldiers, the sum of one hundred dollars each. Special pensions

INTEREST ON THE PUBLIC DEBT.

SEC. 10. That the sum of two hundred and ninety thousand dollars, if so much be necessary, be, and the same is hereby, appropriated to pay the interest on the valid debt of the State which shall mature and become payable on the first day of January and on the first day of July, 1894, and for unpaid interest payable in prior years. Interest on valid debt.

SEC. 11. That the amounts specified in the several preceding Sections of this Act for salaries and clerical services shall be paid in monthly installments, and shall be paid upon the warrants of the Comptroller-General on the application of the various officers entitled to the same: *Provided*, That the accounts and vouchers upon which said applications are made shall be filed with the Comptroller-General before issuing his warrants on the State Treasurer for same; and that for the amounts required by the various officers for the purchase of stamps the Comptroller-General is hereby authorized to issue his warrant to said officer. Salaries to be paid monthly. How paid. Vouchers to be filed. Stamps.

SEC. 12. That the moneys hereinbefore set apart to be used as contingent funds and for other purposes by the various officers of the State Government shall be duly accounted for, and such officer shall make a detailed statement of the disposition made thereof to the General Assembly at the next regular session, on or before the first day of Decemder, 1894: *Provided*, That no officer authorized to make contracts or draw funds from said appropriation shall expend or make contracts for expending more than has been specified for any purpose by this Act. Moneys to be accounted for by public officers. No contract to exceed appropriation.

SEC. 13. That in the event that salaries or other compensation for services now provided for by law for officers, clerks and other persons, for which appropriation is herein made, shall be fixed by law at other rates than those herein provided for, such rates Appropriation for salaries not affected by salary reduction Act

A. D. 1893. shall not affect such salaries or other compensations for the year 1894, but the amounts herein appropriated shall be paid them.

When to take effect. SEC. 14. That this Act shall take effect from and immediately after its approval.

Repealing clause. SEC. 15. That all Acts and Joint Resolutions, or parts of Acts and Joint Resolutions, inconsistent or conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved December 23d, A. D. 1893.

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No. 317. AN ACT TO EXTEND THE TIME FOR THE PAYMENT OF TAXES BY THE PORT ROYAL AND AUGUSTA RAILWAY COMPANY.

Recital. *Whereas* the property of the Port Royal and Augusta Railway Company was seriously damaged by the storm of the 27th day of August, 1893, and said company has suffered great loss thereby; therefore

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

May be paid in installments. the Port Royal and Augusta Railway Company be, and they are hereby, authorized and permitted to pay their taxes for the fiscal year 1892–93 without penalty, in five equal monthly installments, the first of such installments to be paid during the month of December, 1893, and one other fifth part during each succeeding month thereafter.

SEC. 2. That this Act shall go into effect from and immediately after the date of its approval.

Approved December 23d, A. D. 1893.

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No. 318. AN ACT TO AMEND SECTIONS 2, 7 AND 14 OF AN ACT ENTITLED "AN ACT TO ESTABLISH A NORMAL AND INDUSTRIAL COLLEGE IN THE STATE OF SOUTH CAROLINA FOR THE EDUCATION OF WHITE GIRLS," APPROVED DECEMBER 23RD, A. D. 1891, SO AS TO PROVIDE FOR THE ELECTION AND TERMS OF LOCAL TRUSTEES AND TO AUTHORIZE THE STATE TO INCUR CERTAIN EXPENSES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to establish a Normal and Industrial College in the State of South Carolina for the education of white girls," approved December 23rd, A. D. 1891, be amended by inserting between the figures "1893" and the words "in all cases," in said Section 2, page 1103 of the printed Act the following: "and who shall thereafter be elected by the Board of Trustees and hold office for two and four years respectively, to be determined by lot between them as to which shall hold the long term." So that said Section 2 when thus amended shall read as follows:

A. D. 1893.

A. A. 1891, 20 Stat., 1103, amended.

Amendments to Section 2.

SECTION 2. That the institution shall be managed by a Board of Trustees, composed of the Governor of the State and the State Superintendent of Education and the Chairman of the Committees on Education of the Senate and House of Representatives, who shall be members *ex officio*, and nine others, seven to be elected by the Legislature and two by the Board of Trustees as hereinafter provided. The regular terms of office of the elected members shall be six years, but the first seven elected shall serve,—2 for 2 years, 2 for 4 years and 3 for 6 years, these terms to be determined by lot after election. The terms of office of the elected members shall date from the first day of January next after their election, and the Legislature shall hold an election every two years to fill vacancies as they may occur by the expiration of the terms of office: *Provided*, That after the location of said institution has been determined on by the Board of Trustees above provided for, said Board of Trustees shall be increased by two additional members, who shall reside at or near the place where the institution is located, said two additional members to be elected by the Board of Trustees and to hold office for two years and four years respectively, and who when elected shall determine by lot between them as to which shall hold the long term. In all cases where there is a vacancy in the Board of Trustees the Governor shall be empowered to fill it by appointment until the next session of the Legislature. The Board of Trustees shall report before the meeting of each General Assembly to the Governor the conditions, needs and operations of the institution.

Board of Trustees.

Terms of elected Trustees.

Appointed local Trustees.

Terms.

Vacancies.

Reports by Board.

SEC. 2. That Section 7 of said Act be amended by striking out the proviso at the end of said Section 7, so that said Section as thus amended shall read as follows:

Section 7 amended.

A. D. 1893.

Selection of location.

SECTION 7. That the said Board of Trustees, as soon as practicable after their organization, shall proceed to select a location for the South Carolina Industrial and Winthrop Normal College.

Considerations in determining location.

In the selection of the location the Trustees shall look to the convenience of the people of every section of the State; they shall take into consideration the advantages and disadvantages of the different offers, in money and sites, made for the location of the institution, and shall locate it at the place which offers the most advantages.

Bids.

They shall see that the bids for the location of the institution are fully secured, and shall give notice for

Notice.

thirty days in three newspapers published in this State before finally locating said institution. When the site is selected they

Buildings, machinery, &c.

shall, as soon as possible, erect suitable building for said institution and procure and place in the same the necessary machinery, power, fixtures, furniture, equipment, appliances and apparatus to carry into effect the intention of this Act.

Section 14 amended.

SEC. 3. That Section 14 of said Act be amended by striking out the proviso at the end of said Section 14. So that said Section 14 when thus amended shall read as follows:

To have use of convicts.

SECTION 14. That the Trustees of the said South Carolina Industrial and Winthrop Normal College be authorized to make a requisition on the Superintendent and Board of Directors of the State Penitentiary for as many as one hundred able-bodied convicts, if so many be required, for the purpose of working them in the erection (of buildings) for said college, and the said Superintendent and Board of Directors of the Penitentiary are hereby required to furnish the number of convicts so requested, if on hand in the Penitentiary.

Name changed.

SECTION 15. That said Act be, and the same is hereby, amended by striking out the words "The South Carolina Industrial and Winthrop Normal College" wherever the same occurs in the said Act and inserting in lieu thereof the words "the Winthrop Normal and Industrial College of South Carolina;" so that the said college shall be known and called hereafter "The Winthrop Normal and Industrial College of South Carolina." And that the change of name of said institution as herein set forth shall in no wise invalidate any securities issued in aid of the same.

Change in numbering.

And that Section 15 be changed to Section 16.

Approved December 23d, A. D. 1893.

AN ACT TO DECLARE THE MEANING AND INTENTION OF SECTION 14 OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE REDEMPTION OF THAT PART OF THE STATE DEBT KNOWN AS THE BROWN CONSOL BONDS AND STOCKS BY ISSUE OF OTHER BONDS AND STOCKS," APPROVED DECEMBER 22D, A. D. 1892, AS TO NON-TAXATION OF INVESTMENTS IN THE NEW STATE BONDS BY CORPORATIONS.

A. D. 1893. No. 319.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 14 of an Act entitled "An Act to provide for the redemption of that part of the State debt known as the Brown Consol Bonds and Stocks by issue of other bonds and stocks," approved December 22d, A. D. 1892, shall be held and construed as intending and meaning to exempt, and as exempting, from all State, County, township, municipal or other taxation, not only so much of the capital stock or funds of any bank, banking association or other corporation of any nature or kind located within this State as is or shall be invested in the new bonds and stocks, or either of them, the issue of which is provided for in said Act, but also the shares of stock in the hands of individual holders as shall be in proportion to the amount of such capital stock so invested and represented by said shares and certificates of stock.

A. A. 1892, § 14, ante 29, amended, and enlarged.

Approved December 23d, A. D. 1893.

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AN ACT TO PROVIDE A SYSTEM OF COUNTY GOVERNMENT FOR THE SEVERAL COUNTIES OF THE STATE.

No. 320.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the first day of January, 1895, all Acts, parts of Acts or Sections of the General Statutes relating to the election, duties, powers and rights of County Commissioners be, and the same are hereby, repealed, except such special Acts, parts of Acts or Sections of the General Statutes as have heretofore conferred special powers and privileges upon the County Commissioners of any County, which said duties are devolved upon the County Supervisor and County Board of Road Commissioners as hereinafter provided.

Repealing clause.

Devolution of duties.

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Election of County Supervisor. Term of office.

SEC. 2. There shall be an election held at next general election for State officers in the several Counties of the State for one County Supervisor, and at every general election thereafter, whose term of office shall be two years, and until his successor shall have been elected and qualified.

Bond of Supervisor.

SEC. 3. The County Supervisor so elected shall, before entering upon the duties of his office, execute a bond for the use of the County, with three or more sufficient sureties, for the faithful performance of his duties, in the penal sum of five thousand dollars, said bond to be approved in manner the same as now provided for bonds of County Auditors and Treasurers.

General jurisdiction of Supervisor.

SEC. 4. The County Supervisor shall have general jurisdiction over all public highways, roads, bridges and ferries, and over the paupers, and in all matters relating to taxes and disbursements of public funds for County purposes, in their respective Counties, and in any other case that may be necessary for the internal improvement and local concerns of their respective Counties; said Supervisor shall have power and authority to administer oaths to any person in reference to matters appertaining to his office.

May administer oaths.

Governor to appoint.

SEC. 5. That the Governor shall appoint, upon the recommendation of the Senator and members of the House of Representatives from the respective Counties, three discreet freeholders in each township in the several Counties of the State, who shall be known as the Board of Township Commissioners, whose term of office shall be coterminal with that of the Governor by whom such Commissioner shall have been appointed, and until their successors are appointed and qualified. In case of a vacancy or in case of the refusal of any person so appointed to serve as such Commissioner, the Governor shall fill the same as hereinbefore provided: *Provided*, That no person shall be required to serve more than once in every four years; and said Commissioner shall, during the term of his office, be exempt from all road and jury duty.

Board of Township Commissioners.

Vacancies.

Times of service.

Exemptions.

Devolution of duties. Board of Assessors abolished.

SEC. 6. That all the duties, powers and privileges now the same are hereby devolved upon the Township Boards of Commissioners and Township Boards of Assessors are hereby abolished.

Devolution of duties.

SEC. 7. That all the duties, powers and privileges now devolved on the County Boards of Equalization be, and the same are hereby, devolved upon the County Board of Commissioners, and said Board of Equalization is hereby abolished. And the members of said Board, while performing the duties now de-

Board of Equalization abolished.

volved upon the County Board of Equalization, shall receive the same compensation as such Boards now receive.

Compensation.

County Board of Commissioners.

SEC. 8. That the County Supervisor, together with the Chairmen of the Township Boards of Commissioners in the several townships appointed by the Governor, shall constitute the County Board of Commissioners, of which said Board the County Supervisor shall be Chairman.

Chairman.

Meeting for organization.

SEC. 9. That immediately after the appointment of the several Boards of Township Commissioners, and the election and qualification of the County Supervisor, or as soon thereafter as may be practicable, the said Supervisor shall call a meeting of said Board for the purpose of organization. And the County Board of Commissioners shall meet thereafter on the first Monday in January, April, July and October of each year at the County Court House, for the transaction of business, and a majority of said Board shall constitute a quorum: *Provided,* That the Chairman of said Board may call an extra meeting at any time, and shall be required to do so upon the written request of three members of the Board. That at the first meeting of said Board they shall elect one of their number who shall be a member of the State Board of Equalization and who shall perform all the functions of said office as now provided by law.

Quarterly meetings.

Quorum.

Extra meetings.

Member of State Board of Equalization.

Road, bridge and ferry sections.

SEC. 10. That it shall be the duty of the County Supervisor, together with the Chairman of the Board of Township Commissioners, to lay off into convenient sections the roads, bridges and ferries in the several townships in their respective Counties, which said sections shall be numbered for the purpose of letting out the same to be worked and maintained under contract.

If roads be worked by contract.

SEC. 11. That if the County Board of Commissioners conclude to adopt the contract system for working, maintaining and operating the several sections of highways, roads, bridges and ferries in the several townships in their respective Counties, the County Supervisor, as soon as practicable thereafter, shall advertise in a newspaper published in the County once a week for three weeks, and by notices posted in two or more conspicuous places in the several townships, for bids from responsible persons for the performance of the work as above set forth. Any and all bids made shall be in writing, sealed, and addressed to the County Supervisor, and by him opened and submitted to the County Board of Commissioners, and it shall be the duty of said Board to accept the lowest bid made by a responsible person or party: *Provided,* The County Board of Commissioners shall have power to reject any and all bids.

Advertisement to be made for bids.

Bids to be in writing.

Lowest responsible bid to be accepted.

Right to reject bids.

A. D. 1893.

Bond by successful bidder.

SEC. 12. When any bid shall have been accepted by the County Board of Commissioners they shall require the person or party whose bid shall have been accepted to enter into bond double the amount of said bid, and with good and sufficient surety, payable to said Board and their successors in office, for the use of the County, which bond shall specify the nature of the work required, conditioned for the faithful performance of the same.

Forfeiture of bond.

SEC. 13. In case of the failure of any contractor to perform the conditions of his bond, the Board of County Road Commissioners shall declare the same forfeited, and the Circuit Solicitor

Action on bond.

shall enter suit in the name of said Board upon said bond for the

Payment of proceeds.

penalty thereof, and any sum of money recovered in such action shall be paid into the County treasury and become a part of the County road fund.

Removal of defaulters.

SEC. 14. The County Board of Commissioners shall have power to remove any and all defaulting contractors and to relet the section or sections of highways, roads, bridges or ferries so let to him to some other responsible person or party.

Commutation tax.

SEC. 15. The County Treasurers of the several Counties are hereby authorized and empowered to receive from any and all persons liable to road duty in the several Counties the sum of two dollars as a commutation tax in lieu of all road duty required by law, and all money so paid shall be set apart and known as the County Road Fund: *Provided*, That said com-

When payable.

mutation tax be paid between the first day of November and the first day of March in each year for that fiscal year, or when State and County taxes are paid, and that the County Treasurer shall

Receipt.

furnish a receipt to the person so paying the same.

List of such taxpayers.

SEC. 16. The County Treasurer shall furnish the County Supervisor a list containing the names of all persons who have paid their commutation tax, and the Chairman of the Township Board of Commissioners shall also prepare and furnish to the Supervisor a

List of road workers.

list of all persons liable to road duty in their respective townships, and the said Supervisor shall check off the names of all such persons reported on the list of the County Treasurer as having paid their commutation tax, and all persons whose names shall remain on the list so checked shall be required to perform

Amount of work required.

road duty, not exceeding in the aggregate of six days; said persons shall not be required to work more than three days in any

Where to work.

one week, and shall be assigned to such duty by the County Supervisor under one of the contractors in the township having under control the section or sections nearest the residence of such

person or persons: *Provided*, That in those Counties where the contract system is not adopted, said persons shall perform the work under road overseers, to be appointed by the Township Board of Commissioners for each township, under the provisions of existing laws. Road Overseers.

Amount to be paid by contractors.

SEC. 17. It shall be the duty of the contractor of any section to receive such person or persons assigned to him, under Section 16, by the County Supervisor, and he shall allow to the County Board of Commissioners a sum not less than fifty cents per diem for the labor of any such person or persons, and said sum shall be credited upon the amount due or to become due said contractor by the said Board.

Penalty for default by one liable to do road duty.

SEC. 18. In case of the refusal of any person or persons to pay his or their commutation tax, as herein provided, within the time prescribed by this Act, and upon refusal to perform the road duty required by Section 16 of this Act, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined ten dollars and costs, or imprisoned in the County jail for the period of twenty days: *Provided*, That if any person liable to road duty neglects to pay his commutation tax within the time prescribed by this Act, the County Treasurer is hereby authorized to receive the same with a penalty of fifty per cent. of said amount added: *Provided*, The same be tendered within fifteen days after the expiration of said time.

Commutation tax with penalty.

Proviso.

Accounts to be presented.

SEC. 19. All accounts, claims and demands of whatever nature existing against the County for opening, constructing, maintaining and operating any public highway, road, bridge or ferry shall be presented to the County Board of Commissioners, duly attested, and if approved by said Board the County Supervisor shall draw his warrant upon the County Treasurer, under the seal of the County Board of Commissioners, for the amount of any such claim or claims, which warrant shall be countersigned by the Secretary of the Board, and the same shall be paid by said Treasurer out of the County road fund.

Approval and payment.

Neglect of duty by member of Board.

SEC. 20. Any willful neglect of duty on the part of any member of the County Board of Commissioners shall be deemed a misdemeanor, punishable by a fine not exceeding one hundred dollars or imprisonment not exceeding one year.

Report to Court.

SEC. 21. The County Board of Commissioners shall, at the last term of the Court of General Sessions in each year, make a report to the presiding Judge, to be by him submitted to the Grand Jury, of all their actings and doings, containing an

A. D. 1893.

itemized statement of all amounts ordered to be paid by them, the condition of the public highways, bridges and ferries in their respective Counties for the fiscal year, and all matters appertaining to the same.

Right to administer oaths and punish.

SEC. 22. The members of the County Board of Commissioners shall have power to administer oaths to all persons appearing before them, and to punish by fine not exceeding ten dollars, or imprisonment in the County jail not exceeding twenty hours, any and all persons guilty of disorderly conduct amounting to an open or direct contempt or willful interruption of their proceedings.

Sentence of prisoners to hard labor.

SEC. 23. That from and after the passage of this Act all the Courts of this State and municipal authorities which under existing laws have power to sentence convicts to confinement in prison with hard labor shall sentence all able-bodied male convicts to hard labor upon the public works of the County in which said person shall have been convicted, and in the alternative to imprisonment in the County jail or State Penitentiary at hard labor: *Provided,* That municipal authorities may sentence municipal convicts to work upon the streets and other public works of the municipality in which they have been convicted, and such convicts when so sentenced shall work under the exclusive direction and control of the municipal authority imposing sentence: *Provided,* That no convict whose sentence shall be for a period longer than two years shall be so sentenced.

Municipal convicts.

Proviso.

County chain gang.

SEC. 24. That all convicts so sentenced shall be under the supervision and control of the County Supervisor and by him formed into a County chain gang and required to perform hard labor upon the public highways, roads, bridges and ferries, or public buildings in the County; he shall direct the time, place and manner of labor to be performed by said chain gang: *Provided,* That said chain gang shall not be worked in connection with or near any road contractor or overseer.

Proviso.

Care of convicts.

SEC. 25. That the County Board of Commissioners shall diet and provide suitable and efficient guards and appliances for the safe keeping of said convicts. They shall likewise provide all necessary tools, implements and road machines for performing the work required of said convicts, all costs and expenses of which shall be paid out of the County road fund in the same manner as other charges against said fund are paid.

Tools, &c.

Expenses.

Surrender of convicts.

SEC. 26. That in case any convict or convicts so employed by the County Supervisor shall become ungovernable or unfit for the

labor required of such convict or convicts, the said Supervisor may commit such convict or convicts to the State Penitentiary or County jail. And it shall be the duty of the Superintendent of the Penitentiary, or the Sheriff of the County, as the case may be, to receive any such convict or convicts so committed. When said chain gang is not employed, or when convenient and practicable, they shall be confined in the County jail for safe keeping under direction of said Supervisor. A. D. 1898. Safe keeping of convicts.

SEC. 27. That the County Board of Commissioners shall be authorized and required to employ a physician or physicians whenever necessary to render medical aid to sick convicts and to preserve the health of the chain gang. The fees and expenses of the same, as well as for medicines prescribed, to be paid out of the road fund as other claims are paid against said funds. Health of convicts. Fees and expenses.

SEC. 28. The County Board of Commissioners shall have general supervision over the paupers and the Poor House and Farm of the County, and the said Board shall provide all necessary buildings for the accommodation of the poor of the County, with sufficient tillable land to give employment to all paupers able to work, and said buildings and lands shall be designated as the Poor House and Farm of the County. Paupers and poor house. Farming land.

SEC. 29. That said Board shall be empowered to make all necessary rules and regulations for the government of the County Poor House and Farm, to appoint a superintendent, with such assistants as may be needed, to provide means for the employment as may be best suited to the inmates of the Poor House, to see that every pauper able to work is employed, and to appoint one or more physicians to the Poor House, who shall furnish medical aid to the indigent sick. Regulations for Poor House. Superintendent and assistants. Physicians.

SEC. 30. The County Board of Commissioners shall have power to demand, sue for and receive all such gifts, legacies, fines, forfeitures and all other moneys or things which may be given or coming to the use of the poor. Control of property for the poor.

SEC. 31. In case any poor child or children shall be, or become, chargeable to the County, the County Board of Commissioners may bind out any such child or children as an apprentice to some person of good moral character until such child, if he be male, shall arrive at the age of sixteen years, and if it be a female until she arrive at the age of fourteen years or shall marry. The said Board shall have power to bind out to service, under some person of good moral character, any illegitimate child or children likely to become chargeable to the County, or liable to be demor- Apprenticeship of poor children. Ages. Illegitimate children.

A. D. 1898.

alized by the immoral conduct or evil example of their mother or other persons having them in charge, in the manner and for the time prescribed for pauper children, and they shall have power to issue all necessary writs to enforce the provisions of this Section.

Moneys paid by fathers of bastards.

SEC. 33. Any moneys becoming due on any recognizances given for the maintenance of any illegitimate child or children, if such child or children shall be bound out to service, shall be paid to and received by the Supervisor, to be invested and expended by him under the order of the Probate Court for the benefit of such illegitimate child.

Contracts as to Poor House.

SEC. 34. The County Board of Commissioners shall have power to make all contracts in reference to supplying the Poor House and inmates thereof, repairing buildings and other necessary expenses incident to the care and maintenance of said Poor House and farm. Where any contract shall exceed the sum of twenty dollars, they shall advertise and receive bids for same, and shall accept the lowest bid from a responsible person.

Advertisement for bids.

Accounts to be presented.

SEC. 35. All accounts, claims and demands of whatever nature against the County in reference to the Poor House or farm for the maintenance and support of paupers shall be presented, duly attested, to the Board of County Commissioners and be by them audited, allowed or rejected, and for the amount of any claim so audited and allowed the County Supervisor shall draw his warrants, under the seal of the Board, upon the County Treasurer, countersigned by the Secretary of the Board, who shall pay the same out of the pauper fund of the County.

If approved, to be paid.

Report to Court as to Poor House

SEC. 36. The County Board of Commissioners shall, at the last term of the Court of General Sessions in each year, make a report to the presiding Judge, to be by him submitted to the Grand Jury, of all their actings and doings for the fiscal year, containing an itemized statement of all amounts ordered to be paid by them, with a list of inmates and the condition of the Poor House, farm and inmates.

Seal of County.

Description and impression to be filed.

SEC. 37. The County Supervisor shall procure and adopt a seal, and when so adopted shall cause a description thereof, with an impression therefrom, to be filed in the office of the Clerk of Court, and of the Sheriff, Treasurer and Secretary of State, and the same shall thereupon be the seal of the Supervisor, and all orders or other papers signed by said Commissioner shall be authenticated by the official seal.

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Fees to be paid by County.

SEC. 38. Each County shall pay: 1. The fees of the grand and petit jurors while in attendance upon the Circuit Court. 2. Witnesses' fees in the State cases for actual attendance upon the Circuit Courts as provided by law. 3. Fees of physicians and surgeons testifying as experts before a Coroner's jury or the Circuit Court. 4. Fees of Sheriffs and Clerk of Court as provided by law. 5. Fees of County Coroners as allowed by law. 6. Fees or salaries of Trial Justices and Constables. 7. The compensation of Auditors, Treasurers and County Supervisors as provided by law.

Court fees to be paid.

Receivable for taxes.

SEC. 39. That the fees allowed jurors, Constables and witnesses shall be paid by the Treasurer of the Counties, on the presentation to them of certificates signed by the Presiding Judge and countersigned by the Clerk of the Court, or be received by him in the payment of all County taxes when duly approved by the County Supervisor.

Approval of other fees.

Payment.

SEC. 40. That the accounts of the Coroners and Sheriffs and Supervisor, and physicians' or surgeons' fees for *post mortem*, shall be approved by County Board of Commissioners, and the Supervisor, on their approval, shall draw an order upon the County Treasurer for the payment of the same, countersigned by the Secretary of the Board.

Duty of Sheriffs, Constables, &c.

SEC. 41. Sheriffs, Deputy Sheriffs, Coroners and Constables shall execute all legal orders to them directed by the Boards herein provided for, or the Chairman thereof, and shall receive therefor the same fees and costs allowed in other cases.

Reports by County officers.

Settlements.

SEC. 42. That the reports of the County Treasurer and other officers now required by law to be made to the Board of County Commissioners shall, after the passage of this Act, be made to the County Supervisor, and all settlements by any of the County officers now required to be made with the Board of County Commissioners or its Chairman shall be made with the County Supervisor.

Estimate of County expenses.

For the General Assembly.

SEC. 43. The County Board of Commissioners shall prepare an estimate of the amount of money necessary to pay the expenses incurred by said Boards and for ordinary County expenses, and report the same to the Comptroller-General of the State, on or before the 15th day of November of each year, to be by him submitted to the General Assembly, in order to provide the necessary taxation for County purposes.

Penalty for defaults by County Supervisor.

SEC. 44. In case of the failure of the County Supervisor to faithfully perform the duties of his office or the conditions of his bond, it shall be the duty of the Solicitor of the Circuit in which

A. D. 1893.

such Supervisor shall reside to bring an action upon the bond of said Supervisor in the name of the County, and any amount realized from said suit shall be deposited in the treasury to the credit of the road fund, and shall receive therefor such fees as the Court shall designate.

Salaries to be paid quarterly.

SEC. 45. That the salaries of the Supervisor in the several Counties shall be paid quarterly by the County Treasurers out of the County funds in the same manner as other claims against the County are paid.

Record and minutes.

SEC. 46. That it shall be the duty of the County Supervisor to cause a record to be kept of all the proceedings of the Board of which he is herein made Chairman, as well as a record of all contracts entered into with said Boards, as provided in this Act, which

Open to inspection.

said records shall be open to public inspection, and all necessary books and material for keeping same shall be paid for out of the funds herein provided for the respective Boards in the same manner as other charges are paid.

Road working under existing law permitted.

SEC. 47. That so much of this Act as applies to the working of the public highways by the contract system, and by convicts in chain gangs, shall not be obligatory on such County Board of Commissioners as conclude that the present system of working the highways in their respective Counties is more conducive to

Overseers.

the welfare thereof; and in such cases overseers, as now provided by law, shall be appointed in each township by the Board of Township Commissioners for such townships, who shall execute the laws now in force in reference to the working of public highways.

Secretary of Board.

SEC. 48. That said County Board of Commissioners at their first meeting shall elect one of its members as Secretary thereof.

Salary of Supervisors in the several Counties

SEC. 49. That the salary of the Supervisor in the respective Counties shall be as follows: In the County of Abbeville, 900 dollars; in the County of Aiken, 800 dollars; in the County of Anderson, 600 dollars; in the County of Barnwell, 800 dollars; in the County of Beaufort, 800 dollars; in the County of Berkeley, 500 dollars; in the County of Charleston, 1,000 dollars; in the County of Chester, 800 dollars; in the County of Chesterfield, 400 dollars; in the County of Clarendon, 800 dollars; in the County of Colleton, 800 dollars; in the County of Darlington, 600 dollars; in the County of Edgefield, 800 dollars; in the County of Fairfield, 650 dollars; in the County of Florence, 500 dollars; in the County of Georgetown, 750 dollars; in the County of Greenville, 600 dollars; in the County of Hampton, 600 dollars;

in the County of Horry, 500 dollars; in the County of Kershaw, 600 dollars; in the County of Lancaster, 300 dollars; in the County of Laurens, 600 dollars; in the County of Lexington, 600 dollars; in the County of Marion, 800 dollars; in the County of Marlboro, 700 dollars; in the County of Newberry, 750 dollars; in the County of Oconee, 500 dollars; in the County of Orangeburg, 800 dollars; in the County of Pickens, 400 dollars; in the County of Richland, 900 dollars; in the County of Spartanburg, 1,000 dollars; in the County of Sumter, 1,000 dollars; in the County of Union, 600 dollars; in the County of Williamsburg, 600 dollars; in the County of York, 500 dollars. A. D. 1893.

SEC. 51. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

Approved January 4th, A. D. 1894.

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AN ACT TO RECOGNIZE THE L. I. (LICENTIATE OF INSTRUCTION) DEGREE CONFERRED BY THE PEABODY NORMAL COLLEGE, OF THE UNIVERSITY OF NASHVILLE, TENN., AS A QUALIFICATION TO TEACH IN THE PUBLIC SCHOOLS OF THIS STATE WITHOUT EXAMINATION HERE. No. 321.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the L. I. (Licentiate of Instruction) Degree conferred by University of Nashville, Peabody Normal College, of Nashville, in the State of Tennessee, be, and said degree is hereby, declared to be an evidence of sufficient qualification of the person on whom the same is conferred to entitle such person to teach in any of the free public schools of this State without further examination in this State; and such person on presentation of his or her diploma and certificate of Degree to the County Board of Examiners of any County in this State, shall be entitled to, and shall have issued in his or her behalf, a first grade teacher's certificate for such County: *Provided*, The issuance of said certificate shall in all cases be a matter in the discretion of the County Board of Examiners. The L. I. Degree to entitle to teach. Entitled to first grade certificate. Proviso.

SEC. 2. That this Act shall take effect immediately upon its approval, and Acts and parts of Acts inconsistent with this Act are hereby repealed. When to take effect. Repealing clause.

Approved January 4th, A. D. 1894.

A. D. 1893. No. 322.

## AN ACT TO FIX THE SALARIES OF THE COUNTY SCHOOL COMMISSIONERS OF THE SEVERAL COUNTIES OF THIS STATE.

Salaries in the several Counties.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the salaries of the several County School Commissioners of the several Counties of this State shall be, and are hereby, fixed at the following sums, to be paid as heretofore: Abbeville County, four hundred dollars; Aiken County, four hundred dollars; Anderson County, five hundred dollars; Barnwell County, four hundred dollars; Beaufort County, six hundred dollars; Berkeley County, four hundred dollars; Charleston County, six hundred dollars; Chester County, four hundred dollars; Chesterfield County, three hundred dollars; Clarendon County, four hundred and fifty dollars; Colleton County, four hundred dollars, Darlington County, four hundred dollars; Edgefield County, five hundred dollars; Fairfield County, four hundred dollars; Florence County, four hundred dollars; Georgetown County, five hundred dollars; Greenville County, five hundred dollars; Hampton County, four hundred dollars; Horry County, three hundred dollars; Kershaw County, four hundred dollars; Lancaster County, three hundred dollars; Laurens County, four hundred dollars; Lexington County, four hundred dollars; Marion County, five hundred dollars; Marlboro County, three hundred dollars; Newberry County, four hundred and fifty dollars; Oconee County, three hundred and fifty dollars; Orangeburg County, five hundred dollars; Pickens County, three hundred dollars; Richland County, as now provided by law; Spartanburg County, seven hundred dollars; Sumter County, as now provided by law; Union County, four hundred dollars; Williamsburg County, five hundred dollars; York County, five hundred dollars: *Provided*, That they shall not receive exceeding three dollars per day for each day actually engaged in this work as now provided by law.

Limit.

When to take effect.

SEC. 2. That this Act shall not go into effect until the first day of January, A. D. 1895.

Approved January 4th, A. D. 1894.

AN ACT TO AMEND THE LAW IN RELATION TO THE LOCATION AND NAMES OF THE VOTING PRECINCTS IN CERTAIN COUNTIES. A. D. 1898. No. 323.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the approval of this Act the names and locations of the voting precincts of this State shall be and remain the same as provided by law before the passage of this Act, except in the Counties hereinafter mentioned, in which names and location of voting precincts shall be as herein established: Voting precincts established.

AIKEN.—In the County of Aiken there shall be twenty voting precincts, as follows: Aiken Court House, Vaucluse, Graniteville, Langley, Summer Hill, Page and Hankinson's Store, Silverton Academy, Low Townwell's, Windsor, Montmorenci, Sally, Oak Grove School House, Sally's Store, Jones' Cross Roads, Kneece's Mill, Creed's Store, Sunnyside, Fountain Academy, Central School House and Wagoner's. Aiken.

ABBEVILLE.—In the County of Abbeville there shall be voting precincts as follows: Abbeville Court House, Mount Carmel, Willington, Cokesbury, Greenwood, Ninety-Six, Donaldsville, Due West, Antreville, Childs' Cross Roads, Lowndesville, Magnolia, Long Cane, Clotworthy's Cross Roads, McCormick, Hodges, Troy and Bradley's. Abbeville.

ANDERSON.—In the County of Anderson there shall be voting precincts as follows: Craytonville, Anderson Court House, Pendleton, Sandy Springs, Centreville, Five Forks, Hopewell School House, Greenwood, Williamston, Belton, Honea Path, Clinkscales, Milfords, Cedarwreath School House, Moffettsville, Williford's Store, Broyles' Mill, G. W. Merrett's Store, Storr, Piedmont Factory, Holland's Store and Pelzer. Anderson.

BEAUFORT.—In the County of Beaufort there shall be sixteen voting precincts as follows: Beaufort, Port Royal, Grahamville, Genesis Cross Roads, Bellinger's Hill, Brick Church, Gordon Corner, Hardeeville, Bluffton, Gray's Hill, Lady Island, Chisholm's Landing, Old Pocataligo, Levy's Cross Roads, Paris Island and Clem's Store. Beaufort.

BERKELEY.—In the County of Berkeley there shall be voting precincts, as follows: In the Parishes of St. Thomas and St. Dennis, Muster House and Ben Potter's (at Half Way Creek); in the Parish of St. James Santee, Thirty-Two Mile House and Berkeley.

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Henderson's Store; in the Parish of St. Stephen's, St. Stephen's Depot and Gumville; in the Parish of St. John's Berkeley, Calamus Pond, Black Oak, Strawberry Ferry, Pinopolis, Mount Olivet and Biggin Church; in the Parish of St. James Goose Creek, Holly Hill, Cross Roads, Cooper's Store and Ten Mile Hill.

Charleston.

In the County of Charleston, outside the limits of the city of Charleston, there shall be voting precincts as follows: Public School House Grounds on James Island, Moultrieville, McClellanville, Mount Pleasant, in Christ's Church Parish; Brick Church, in St. Andrew's Parish; Haut Gap, on John's Island; Enterprise Postoffice, on Wadmalaw Island; Camp Ground, on Edisto Island; and at the nearest available place to the city limits on Meeting Street Road: *Provided*, That nothing herein contained shall be construed to vary or affect the location of the voting precincts within the limits of the city of Charleston as now established by law.

Chester.

CHESTER.—In the County of Chester there shall be voting precincts as follows: Chester Court House, Lowryville, Fishing Creek Church, Rossville, John Simpson's, Camel Hill, J. E. Wylie's Store, Landsford, Cornwell, Richburg, Wylie's Mill Academy, Fishing Creek Factory, Baton Rouge, Edgemoor.

Chesterfield.

CHESTERFIELD.—In the County of Chesterfield there shall be voting precincts as follows: Chesterfield Court House, Cheraw, Brown Springs, Bethel Church, Cole Hill, Mount Croghan, Dudley, Fox Place, Jefferson, Hebron Church, McKay's Cross Roads Church, Catarrh, Brock's Mills, Douglass' Mill and Grant's Mill.

Colleton.

COLLETON.—In the County of Colleton there shall be voting precincts as follows: Reevesville, George's, Murray's Cross Roads, Beech Hill, Summerville, Knightsville, Delemaner's Cross Roads, Adams Run Depot, Jacksonboro, Green Pond, Gloversville, Maple Cane, Horse Pen, Walterboro, Hendersonville, Snider's Cross Roads, Rice Patch, Belle's Cross Roads, Smoak's Cross Roads, Doctor's Creek, Preacher's Mill and Carter's.

Fairfield.

FAIRFIELD.—In the County of Fairfield there shall be voting precincts as follows: Albion, Bear Creek, Blythewood, Durham, Feasterville, Gladden's Grove, Herob, Monticello, Winnsboro, Ridgeway and Woodward's.

Florence.

FLORENCE.—In the County of Florence there shall be twelve voting precincts, as follows: Florence, Ebenezer, Timmonsville,

Cartersville, James' Cross Roads, Elim, Mars Bluff, Evergreen, Hymansville, Unity, Motts and Salem, at or near Salem Public School.

Georgetown. GEORGETOWN.—In the County of Georgetown there shall be voting precincts as follows: Georgetown, Sampit, Carver's Bay, Choppee, Black River, Potato Ferry, at or near Ivey's Store, Pee Dee, Grier's, Upper Waccamaw, Lower Waccamaw, Santee, Cedar Creek, at or near Gourdin's Chapel, and Sandy Island.

Greenville. GREENVILLE.—In the County of Greenville there shall be voting precincts as follows: Two in the City of Greenville, to be located by the Commissioners of Elections; W. H. Grant's, Reedy Fork, A. W. Ware's, at or near Fork Shoals, T. Henry Stokes', Old Fair View Academy, Fountain Inn, at or near Jesse Burdett's, Sr., Butler's Cross Roads (in Austin Township), Batesville, James Green's, Taylor's Station, Double Springs Church, T. J. Mitchell's, Bates' Old Field, S. W. Barton's (in Glassy Mountain Township), John H. Goodwin's, Jennings' Mill, the Old School House near Lima, Montague, Piedmont Factory, Gowensville, Marietta (in Bates Township), Greer Station, Simpsonville, Tygerville, West Denklin School House and Locust.

Horry. HORRY.—In the County of Horry there shall be voting precincts as follows: Martin's Hill, Cedar Grove, Conway, Dog Bluff, Muster Shed, Chapel Hill, (in Gallivant's Ferry Township), Floyd's School House, Blanton's Cross Roads, Bayboro, Sanford, Louis, Round Swamp, Hammond, Ebenezer, Little River, Dogwood Neck, (near Hardee's Mill), Grahamville and Socastee Academy.

Laurens. LAURENS.—In the County of Laurens there shall be voting precincts as follows: Laurens, Clinton, Reynosa, Langston's Church, Pleasant Mound, Young's Store, Parson's Store, Power, Grey Court, Dial's Church, Shiloh, Woodville, Tumbling Shoals, Brewerton, Daniel's Store, Tip Top, Mount Pleasant, Cross Hill, Mountville, Hope Well.

Lexington. LEXINGTON.—In the County of Lexington there shall be voting precincts as follows: Lexington Court House, T. J. Draft's Store, Leesville, Lewieville, Goodwin Mill, Boynton Academy, Red Store, Huffman's Burnt Mill, New Brooklyn, Spring Hill, Grange Hall, Lexington Fork Cross Roads, Efird's Store, Peake's Station, P. W. Shealy's Store, Wessinger's Store, Samaria, Batesburg, Swansea and Red Bank.

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Marlboro. MARLBORO.—In the County of Marlboro there shall be voting precincts as follows: Bennettsville, Red Hill, Brownsville, Hebron, Clio, Red Bluff, Palmetto School House, Brightsville School House and Smithville, at or near Smith's Grove.

Oconee. OCONEE.—In the County of Oconee there shall be voting precincts as follows: Fairplay, South Union, Earle's Mill, Haley's Store, Friendship, Seneca, Richland, Westminster, Cleveland, Tugaloo Academy, Holly's Springs, Damascus, Double Springs, Rowlands, Little River, Jocasee, Salem, High Falls, West Union, Walhalla and Cherry.

Orangeburg. ORANGEBURG.—In the County of Orangeburg there shall be voting precincts as follows: Orangeburg Court House, Branchville, Rowesville, Jamison's, St. Matthews, Fort Motte, Washington Seminary, which shall be located at Taylor's Mill, Zeigler's, Gleaton's, Corbettsville, Easterling's, Cedar Grove, Ayer's, near Ayer's Shop in Middle Township, Connor's, near Connor's Store in Cowcastle Township, Elloree, Evans' Mill, North, and Quattlebaum, at or near J. J. Quattlebaum's.

Kershaw. KERSHAW.—In the County of Kershaw there shall be voting precincts as follows: Camden Market House, Rabon's Cross Roads, Cureton's Mill, Lang's Mill, Shrock's Mill, Lyzenby, Westville, Buffalo, Brewer's Store, Liberty Hill, McLean's Branch, Antioch, Turkey Creek School House, Stockton Place, Kirkley's Store, Raby's Mill, Shaylor's Hill and Hanging Rock.

Pickens. PICKENS.—In the County of Pickens there shall be voting precincts as follows: Easley Station, Central Station, Liberty Station, Pickens Court House, Dacusville (at Looper's Gin), Pumpkintown, Eastatoe, Cross Plains (in Easley Township), Foster's Store (in Dacusville Township), Mile Creek (at Mile Creek Church), Prater (at Prater's Creek Church) and Six Mile (in Hurricane Township.)

Sumter. SUMTER.—In the County of Sumter there shall be fifteen voting precincts, as follows: Sumter Court House, Statesburg, Providence, Rafting Creek, Bishopville, Mannsville, Bossard's, Mayesville, Lynchburg, Shiloh, Concord, Privateer, Smithville, Wedgefield, Corbett's Store.

Spartanburg. SPARTANBURG.—In the County of Spartanburg there shall be voting precincts as follows: Spartanburg, Glendale, Pacolet, White Plains, Rich Hill, Macedonia, Gaffney City, Grassy Pond, Ezell's, Arrowwood, New Prospect, Cherokee Springs, McKelvey's, Campton, Campobello, Holly Springs, Duncan's, Crawfordsville, Reidville, Cashville, Woodruff, Hobby's, Walnut Grove, Hebron,

Cross Anchor, Glenn Springs, Becca, Johnson, Wellford, Cowpens, Inman, Cannon's Camp Ground, Fingerville, Boiling Springs, Valley Falls, Fair Forest, Landrum's, Switzer's, Clifton Number One and Clifton Number Two, Cavin's, Cedar Hill, James Allen's (in White Plains Township), Trough Shoals, Paris, Whitney, Brannon, Moore's, Maud, and Enoree (at Hill's Store), Beaumont's Factory, Spartan Mills, Thickety, Golightly and Pelham. A. D. 1893.

WILLIAMSBURG.—In the County of Williamsburg there shall be voting precincts as follows: Trio, Earle's, Sultan, Gourdin's, Greelyville, Salter's, Kingstree, Cedar Swamp, Cades, Black Mingo, Altman's Store, McAlister's Mill, Hebron Church, Indian Town, Lake City, Muddy Creek, Scranton, Prospect, Church and Bloomingdale. Williamsburg.

YORK.—In the County of York there shall be voting precincts as follows: Yorkville, Hickory Grove, Blacksburg, Buffalo (at Moore's Cross Roads), Clark's Fork at McGill's Store, Bethany, Forest Hill Academy, Fort Mill, Rock Hill, Coates' Tavern, Antioch Church (in Bethesda Township), McConnellsville, Blairsville, Bullock Creek, at McNeil's Store, Bethel, Clover, Newport and Sharon and Tirzah. York.

SEC. 2. The Supervisor of Registration is hereby authorized and directed to exchange the registration of such electors as may apply to him for that purpose from other precincts to the precincts established by this Act, whenever it shall appear to him that the elector so applying resides within a reasonable distance from the same. Registration certificates.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

Approved January 4th, 1894.

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## AN ACT PROVIDING FOR THE FORMATION OF NEW COUNTIES IN THIS STATE. No. 324.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever it is desired to incorporate a new County in this State, it shall be the duty of those petitioning for same to publish, in one or more newspapers in each County from which it is pro- Preliminary publication.

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posed to take any territory, for at least three months before the meeting of the Legislature when same is to be applied for, a statement of the proposed County line in said County, and shall also have made a survey of the territory proposed to be taken and file same in the office of the Secretary of State for at least thirty days before the meeting of the Legislature when the charter is to be applied for.

Survey to be made and map filed.

No charter to be granted without.

SEC. 2. That no charter shall be granted or such new County formed unless the foregoing provisions have been complied with.

Repealing clause.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved January 4th, A. D. 1894.

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No. 325. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE APPOINTMENT OF COUNTY BOARDS OF PHYSICIANS TO EXAMINE THE DIPLOMAS OF PHYSICIANS AND SURGEONS IN THIS STATE," APPROVED DECEMBER 24TH, 1890, AND TO ESTABLISH IN LIEU OF SAID BOARDS A STATE EXAMINING BOARD, AND TO DEFINE THE DUTIES AND POWERS THEREOF.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act there shall be established a State Board of Medical Examiners composed of seven reputable physicians or surgeons, one from each Congressional District, to be appointed by the Governor, whose term of office shall be for a period of two years and until their successors in office shall have been appointed, and any vacancy in said Board of Examiners, by death, resignation or otherwise, shall be filled in the same manner. A majority of said Board shall constitute a quorum for the transaction of business: *Provided,* That the members thereof first appointed under this Act shall be divided into two classes, each class to consist of the first three and second two members. The first class shall hold office under said appointment for the period of one (1) year, the second class for two (2) years, from the date of their appointment.

State Board of Medical Examiners created.

Term of office.

Vacancies.

Term of first Board.

Meetings.

SEC. 2. That said Board of Medical Examiners shall meet at Columbia, South Carolina, on the fourth Tuesday in April of

each year, and at their first meeting organize by the election of a Chairman and a Secretary, who shall also be Treasurer; and said Board shall have power to call extra meetings when necessary. It shall be the duty of said Board when organized to examine all applicants for examination who hold diplomas from any medical colleges or schools, and to pass upon their qualifications and fitness to practice medicine in this State, and to give to each successful applicant a certificate to that effect, upon the payment of five dollars to the Treasurer of said Board. Said Board shall keep a record of all the proceedings thereof, and also a record or register of all applicants for a license, together with his or her age, time spent in the study of medicine, and the name and locations of all institutions granting such applicants' degrees or certificates of lectures in medicine or surgery. Said books and register shall be *prima facie* evidence of all the matters therein recorded.

A. D. 1893.

Officers.

Examination of applicants.

Certificate and fee.

Record and register.

To be *prima facie* evidence.

SEC. 3. That such certificate of qualification shall entitle the holder or holders thereof, respectively, to be registered as a lawful practicing physician by the Clerk of Court of the County in which he, she or they may reside, upon payment to said Clerk of Court a fee of twenty-five cents for each registration.

Force of certificates.

Fee for registration.

SEC. 4. That it shall be unlawful for any person or persons to practice medicine in this State who has failed to comply with the provisions as above recited, and any one violating the provisions of this Act shall be deemed guilty of a misdemeanor, and for each offense, upon conviction by any Court of competent jurisdiction, shall be fined in any sum not exceeding three hundred dollars, or imprisonment in the County jail for any period not longer than three months, or both, at the discretion of the Court. One-half of said fine to go to the informant and the other half to the State: *Provided*, That dentists and midwives shall not be subject to the provisions of this Act.

Unlawful practice of medicine.

Penalty.

Punishment.

Fines.

Exceptions.

SEC. 5. That the members of said Examining Board shall receive for their services the same per diem and mileage as is paid to the members of the General Assembly for each day engaged: *Provided*, That the receipts from applicants for examination shall be sufficient to meet said expenses; and if there should be any surplus after paying said expenses, that the same be paid to the State Board of Health for further disbursement.

Per diem and mileage.

Fund for payment.

Surplus.

SEC. 6. That nothing herein contained shall in any way affect or apply to physicians and surgeons who have already registered in accordance with the laws now of force.

Not to apply to registered physicians.

A. D. 1893.

Appeal to Governor.
Re-examination.

SEC. 7. That upon the refusal of said Board to grant a license to any applicant, an appeal may be had to the Governor, who may order a re-examination of the applicant to be held in the presence of the Dean of the Faculty of any medical college in this State and a committee composed of six practicing physicians.

Exceptions.

SEC. 8. Nothing in this Act shall apply to commissioned medical officers of the United States Army or Navy or the United States Marine Hospital Service, nor shall it include physicians or surgeons residing in other States and called in consultation in special cases with physicians or surgeons residing in this State.

Repealing clause.

SEC. 9. That all Acts and parts of Acts inconsistent herewith are hereby repealed.

Approved January 4th, A. D. 1894.

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No. 326. AN ACT TO FURTHER PROVIDE ADDITIONAL LIMBS FOR ALL SOLDIERS OR SAILORS OF THE STATE WHO LOST A LEG, EYE OR ARM DURING MILITARY SERVICE IN THE YEARS 1861, 1862, 1863, 1864 AND 1865, IN THE WAR BETWEEN THE STATES, WHO ARE NOW LIVING.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all

Additional limbs and eyes provided for.

soldiers or sailors of the State who lost a leg, eye or arm during military service of the years 1861, 1862, 1863, 1864 and 1865 in the war between the States, who are now living, whose income is not sufficient to give them a comfortable support, and who have heretofore received from the State an artificial leg, eye or arm, or who are entitled to receive the same, or who may have elected

Or its money value.

to take in money the price of said artificial leg, eye or arm, be, and they are hereby, allowed an additional leg, eye or arm, or the price of same in money, if they shall so elect, upon their complying with all the provisions and conditions of the law now

Preference.

of force in regard to the same: *Provided*, That those soldiers or sailors who did not receive under the provisions of the Act

Ante 77.

approved 24th December, 1892, an additional artificial eye, arm or leg, or the price thereof in money, shall be first provided

May also receive pension money.

for under the provisions of this Act: *Provided, further*, That nothing herein contained shall be so construed as to prevent said soldiers or sailors from also receiving their share of the annual

amount appropriated for the pensions to Confederate soldiers and others as authorized by the Act of the General Assembly entitled "An Act to provide for the relief of certain soldiers, sailors and widows of soldiers or sailors of the late war between the States," approved December 24th, A. D. 1887, or by Acts amendatory thereto. A. D. 1893. 19 Stat., 826.

SEC. 2. That for the defraying the costs and expenses attending the execution of the provisions of the foregoing Section, the amount of five thousand dollars be, and the same is hereby, appropriated to carry out the provisions of this Act. Appropriation.

Approved January 4th, A. D. 1894.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE FORMATION OF CERTAIN CORPORATIONS UNDER GENERAL LAWS," APPROVED DECEMBER 23, 1886. No. 327.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 9 of an Act entitled "An Act to provide for the formation of certain corporations under general laws," approved December 23, 1886, be, and the same is hereby, amended by striking out the words "to an amount not exceeding one million of dollars." So that said Section as amended shall read as follows: A. A. 1886, 89. 19 Stat., 543, amended. Amendment.

SECTION 9. Any company organized under the provisions of this Act may increase its capital stock by giving each stockholder the preference of taking the increase in proportion to the amount of the original stock he may own, by a vote of two-thirds of the stock in value, had at a meeting called for the purpose, and by and in pursuance of a notice given for thirty days in some newspaper published in the County where the company has its principal place of business, or, where no paper is published in the County, by notice posted up at the Court House door for a like period, giving the time, place and purpose of the meeting of stockholders; that when said capital stock is increased a certified copy of the resolution increasing said capital stock shall be filed in the office of the Secretary of State. Increase of capital stock. Proceedings. Certified copy to be filed.

Approved January 4th, A. D. 1894.

A. D. 1893. No. 328.

## AN ACT TO APPROVE THE REVISION OF THE STATUTES MADE BY J. E. BREAZEALE AS A REVISION, DIGEST AND ARRANGEMENT OF THE STATUTE LAW OF THIS STATE.

Preamble.

20 Stat., 296.

20 Stat., 1054.

*Whereas* the General Assembly of this State, in and by a certain Act entitled "An Act to provide for the revision, digest and arrangement of the Statute Laws of the State of South Carolina," approved December 3d, 1889, and a certain other Act amendatory thereof entitled "An Act to amend an Act entitled 'An Act to provide for the revision, digestion and arrangement of the Statute Laws of the State of South Carolina,' approved December 23d, 1889," such amendatory Act having been approved December 23d, 1891, did provide for the election of one Commissioner by the General Assembly, whose duty it should be to revise, digest and arrange under proper heads the body of our laws of a civil and criminal character, general and permanent in their nature, which should be in force at the time when he should make his final report. And that when the said Commissioner had completed the said revision, digest and arrangement of the Statute Laws, civil and criminal, he should cause a copy of the same, in print, to be submitted to the General Assembly, that the Statutes so revised, digested and arranged may be approved if the General Assembly should so determine, and at the same time he should suggest to the General Assembly, in a report separate and distinct from his said revision, such contradictions and imperfections as may appear in the original text, and the manner in which he proposed to revise the same: *Provided,* No amendment in the Statute or Common Law, as the same then exist, shall be made or contained in his said report; *and whereas*

Ante 103.

thereafter, the General Assembly, by an Act entitled "An Act relating to the revision, digest and arrangement of the Statute Laws of this State," approved December 24th, 1892, did accept the resignation of the Hon. John J. Maher, theretofore appointed Commissioner, and did authorize the Governor to appoint some other competent and fit person to complete the work contemplated and provided for in the Act aforesaid; *and whereas*

Appointment recited.

the Governor of this State, acting under the authority so conferred, has appointed the Hon. John E. Breazeale as the Commissioner to make the revision, digestion and arrangement of the said Statutes as provided for in the said Acts; *and whereas*

Work declared completed.

the said John E. Breazeale has completed the said work and has submitted to this General Assembly his report embracing the revision, digest and arrangement of the said Civil and Criminal

Law of the State, as it stood at the date of the said report, to wit, on the twenty-eighth day of November, A. D. 1893: A. D. 1893.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said report of the said John E. Breazeale be, and the same is hereby, approved as a revision, digest and arrangement of the Statute Law, civil and criminal, of the State of South Carolina, as it stood at the date of the said report, to wit, on the twenty-eighth day of November, in the year of our Lord one thousand eight hundred and ninety-three; and that the said revision, digest and arrangement shall have the force and effect contemplated by Section three of Article V. of the Constitution of the State of South Carolina. Revision approved. Force and effect

SEC. 2. That the said John E. Breazeale, in the performance of the duties devolving upon him under an Act entitled "An Act to provide for the more complete preparation of the Civil Statutes, Criminal Statutes and Code of Civil Procedure, and for the distribution and sale of the same, and for additional compensation for Commissioner," be, and he is hereby, authorized and directed to correct such errors, typographical or otherwise, as upon examination he may find to exist in said revision, digest and arrangement. Power and direction. Ante 427. To correct errors.

Approved January 4th, A. D. 1894.

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AN ACT TO AMEND SECTION ONE OF AN ACT ENTITLED "AN ACT TO PROVIDE A MODE OF DISTRIBUTION OF THE MONEYS COLLECTED AS DIRECT TAX FROM THE CITIZENS OF THIS STATE BY THE UNITED STATES AND TURNED OVER IN TRUST TO THE STATE OF SOUTH CAROLINA," APPROVED DECEMBER 24TH, A. D. 1891. No. 329.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section one of an Act entitled "An Act to provide a mode of distribution of the moneys collected as direct tax from the citizens of this State by the United States and turned over in trust to the State of South Carolina," approved December 24th, A. D. 1891, be amended by adding after the word "representatives," A. A. 1891, 81, 20 Stat., 1067, amended. Amendments.

A. D. 1893. on line nine, and before the words "in the," the words "or in case their estates are settled up and their executors or administrators discharged, then to their heirs-at-law or next of kin." So that said Section when amended shall read as follows:

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the money

To whom paid. collected by the United States from the citizens of this State as direct taxes and paid over to the State of South Carolina in trust, under the provisions of Section 3 of an Act of Congress, approved March 2d, 1891, shall be paid to the persons or inhabitants of this State from whom it was collected, or their legal representatives, or in case their estates are settled up and their executors or administrators discharged, then to their heirs-at-law or next of kin in the following manner:

Approved January 4th, A. D. 1894.

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## No. 330. AN ACT TO FURTHER REGULATE THE MANUFACTURE AND SALE OF COMMERCIAL FERTILIZERS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Manufacturers to file copy label at Clemson College. every person or corporation engaged in the manufacture and sale of fertilizers or commercial manures in this State, or any person or corporation offering the same for sale, shall, on or before the first day of November of each year, file with the Board of Trustees of "The Clemson Agricultural College of South Carolina" a true and correct copy of the printed label or stamp required by Section 596 of the General Statutes to be printed upon each and every bag, barrel or other package of such fertilizer or commercial manure of the various brands which the said person or corporation proposes to offer for sale within the State during the

Certificate of substances used next succeeding twelve months; also a certificate showing the source from which the phosphoric acid, ammonia and potash guaranteed in each of said brands of fertilizer or commercial

And of commercial value. manure so to be offered for sale is derived; and also the commercial value of each and every ingredient contained in said fertilizer or commercial manure, to be ascertained as hereinafter

Also samples of every brand. provided. That along with said certificate there shall be fur-

A. D. 1868.

nished to the said Board of Trustees of "The Clemson Agricultural College of South Carolina," by said persons or corporations, a true sample of each and every brand of fertilizer or commercial manure, of not less than one pound, intended to be offered for sale within the State during the season; and that no fertilizer or commercial manure, under any name or brand whatsoever, shall be offered for sale within the State until the foregoing terms shall be complied with: *Provided, however*, That nothing herein contained shall prevent any person or corporation from subsequently applying to and obtaining consent of the Board of Trustees to offer any other brand of fertilizer or commercial manure upon complying with all the requirements hereinbefore contained. That on or before the first day of October of each year the said Board of Trustees of "The Clemson Agricultural College of South Carolina" shall publish the commercial value per pound and per unit of the various ingredients of a complete fertilizer, viz., available phosphoric acid, ammonia and potash, and furnish the same to any person or corporation interested in the manufacture or sale of commercial fertilizers and commercial manures in this State, upon application therefor; and that said valuation so ascertained shall be the guide by which parties selling fertilizers or commercial manures shall be governed in estimating the commercial value thereof as hereinbefore required.

Sales prohibited

Subsequent applications.

Publication by Clemson College.

To be furnished on application.

To be guide to manufacturers.

SEC. 2. That the sworn certificates of the Chemists of "The Clemson Agricultural College of South Carolina" of analyses of the various brands of fertilizers and commercial manures shall be received in any and all Courts of this State as *prima facie* evidence of the analyses and commercial value of the fertilizers so analyzed.

Certificate by chemist *prima facie* evidence of analyses.

SEC. 3. That if any fertilizer or commercial manure offered for sale in this State shall, upon analysis, prove deficient in any of its ingredients, and if by reason of such deficiency the commercial value thereof shall fall three per cent. below the guaranteed commercial value of said fertilizer, such fertilizer shall be deemed fraudulent, and any note or other obligation given in payment therefor shall be collectable at law only for the amount of the actual commercial value as ascertained by the analyses, and the person or corporation selling the same shall be liable to the purchaser for such damages as may be sustained by reason of such deficiency.

Fertilizer deficient 3 per cent.

Fraudulent, and notes therefor void.

Damages.

SEC. 4. That any person or corporation who shall sell or offer for sale any brand of fertilizer or commercial manure in this

Penalties prescribed.

A. D. 1893. State which contains ammonia derived from horns, hoofs or leather, or which shall, upon analysis, fall three per cent. below the commercial value of said fertilizer or commercial manure certified to the Board of Trustees of "The Clemson Agricultural College of South Carolina," as hereinbefore provided, or violate any of the provisions of Section 1 of this Act, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be Punishment. fined in a sum not exceeding one thousand dollars, or imprisoned for a time not exceeding one year, or both fine and imprisonment, in the discretion of the Court.

Approved January 4th, A. D. 1894.

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No. 331. AN ACT TO PROVIDE FOR THE PUNISHMENT OF THE STEALING OF ANY CRUDE TURPENTINE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Offense. whoever shall steal any crude turpentine of the value of five dollars, whether dipped or scraped from the trees or not, or whether barreled or not, from any place whatsoever, shall be deemed guilty of a misdemeanor, and on conviction thereof shall Punishment. be punished by imprisonment for not more than one year or by a fine of not more than one hundred dollars or imprisonment not exceeding thirty days.

SEC. 2. That this Act shall take effect immediately upon its approval.

Approved January 4th, A. D. 1894.

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No. 332. AN ACT TO LIMIT THE PUNISHMENT OF PERSONS CONVICTED OF OBTAINING PROPERTY LESS THAN TWENTY DOLLARS BY FALSE PRETENSES.*

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on Offense declared. and after the passage of this Act any person who shall, by any

false pretense or representation, obtain the signature of any person to any written instrument in a sum not exceeding twenty dollars, or shall obtain from any person any chattel, money, valuable security or other property, real or personal, of a value not exceeding twenty dollars, with intent to cheat and defraud any person of the same, shall be guilty of a misdemeanor, and shall, on conviction, be punished by fine not exceeding one hundred dollars or by imprisonment not exceeding thirty days: *Provided*, That if, upon the trial of such person, it shall be proven that he or she obtained the property in such manner as to amount in law to larceny, he or she shall not, by reason thereof, be entitled to be acquitted for such misdemeanor; and no person tried for such misdemeanor shall be liable to be afterwards prosecuted for larceny upon the same facts.

Punishment.

May be convicted if larceny

Not triable for larceny.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Repealing clause.

SEC. 3. That this Act shall take effect upon its approval.

When to take effect.

Approved January 4th, A. D. 1894.

*See ante page 411.

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AN ACT TO ENABLE THE STATE AGRICULTURAL AND MECHANICAL SOCIETY OF SOUTH CAROLINA TO EXTEND MORE PERFECT PROTECTION TO ITS PROPERTY, AND TO THE PROPERTY OF EXHIBITORS AT FAIRS, AND TO AUTHORIZE THE OFFICERS THEREOF TO APPOINT A POLICE FOR THAT PURPOSE.

No. 333.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the President of the State Agricultural and Mechanical Society of South Carolina, or in his absence the Vice-President of said society, during the continuance of any fair which may be held upon its grounds, is hereby authorized to appoint from among the citizens of this State as many policemen as shall be necessary for the purposes hereinafter mentioned, whose duty it shall be to preserve order within and around the grounds of said society, to protect the property within the said grounds, to eject persons who shall be improperly within the grounds of the said society, or who shall be guilty of disorderly conduct, or who shall neg-

Policemen to be appointed.

Their duties.

A. D. 1893. lect or refuse to pay the admission fee or observe any of the rules prescribed by the said society. The said policemen shall, during
Their powers. the continuance of any of the said fairs, have the same power that a policeman of the city of Columbia may have by law in making arrests, and in addition may arrest any person charged by an officer of the said society with violating any of the rules of said society, or with the commission of any offense mentioned in Section two.

Offenses declared. SEC. 2. That any person who shall willfully injure or destroy the property of exhibitors, visitors or lessees on the fair grounds, or shall hinder or obstruct the officers or police in the discharge of their duties, or shall wrongfully or maliciously gain admission to the fair grounds contrary to the rules of said society, or without paying the required admission fee during any fair of said society, or any person who enters into or upon said grounds without permission from the duly authorized officer of said society and having such grounds in charge by its authority, or who shall break through, injure or deface the fence or buildings constituting the enclosure to such fair grounds when not in use for exhibitions; or who shall deface, break into or enter any building or buildings upon such fair grounds or forming a part of the enclosure thereto when not in use for exhibitions, shall
Penalty and unishment. be deemed guilty of a misdemeanor, and upon conviction thereof before any Trial Justice of Richland County shall be subject to a fine of not less than five or more than fifty dollars, or to imprisonment in the jail of said County for a term not exceeding thirty days, in the discretion of the Court before which the
Disposition of fines. offender may be tried; and all fines imposed and collected under this Section shall be immediately paid into the treasury of said society for its use and benefit.

Approved January 4th, A. D. 1894.

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No. 334. A JOINT RESOLUTION TO PROVIDE FOR A COMMISSION TO CONSIDER AND REPORT A PLAN FOR THE ESTABLISHMENT OF A SEPARATE INSTITUTION FOR THE EDUCATION OF THE BLIND.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
Constitution of Commission. a Commission consisting of two members of the Senate, to be ap-

pointed by the President of the Senate, and two members of the House, to be appointed by the Speaker, together with one other person, to be selected by the five members so appointed, is hereby constituted, whose duty it shall be to formulate and report to the General Assembly at its next session a plan for the establishment of a separate institution for the education of the blind, with a view to the devotion of the State Institution for Deaf, Dumb and Blind, at Cedar Springs, to the education of the deaf and dumb alone. A. D. 1893. Duties.

SEC. 2. That the said Commission shall also report the probable cost of such an institution and the most suitable locality for same. Reports.

SEC. 3. That to enable said Committee to perform the duties hereby imposed, each member thereof shall be paid from the State Treasury, upon warrants of the Comptroller-General, a per diem of five dollars a day, not exceeding three days, and mileage to Columbia at 5 cents per mile going and returning one trip. Compensation.

Approved January 4th, A. D. 1894.

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AN ACT TO AMEND SECTION 3 OF AN ACT ENTITLED "AN ACT TO REGULATE THE ADMISSION AND DISCHARGE OF PATIENTS IN THE STATE LUNATIC ASYLUM," APPROVED 24TH DECEMBER, 1884. No. 335.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to regulate the admission and discharge of patients in the State Lunatic Asylum," approved 24th December, 1884, be, and the same is hereby, amended by inserting after the word "Act" on the third line of said Section the following words: "or a pauper lunatic not a *bona fide* resident of this State," which question shall be examined into and reported by the County Commissioners, who shall state by what means the applicant has acquired settlement. So that said Section as amended shall read as follows: A. A. 1884, 23, 18 Stat., 827, amended. Amendments.

SECTION 3. Any Probate Judge or Board of County Commissioners committing to the Asylum a person without a medical certificate conforming to the requirements of Section 1 of this Act, or a pauper lunatic not a *bona fide* resident of this State, Commitment to Asylum without a certificate a misdemeanor.

A. D. 1893. shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in the discretion of the Court.

Approved January 4th, A. D. 1894.

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No. 336. A JOINT RESOLUTION AUTHORIZING AND REQUIRING SECRETARY OF STATE TO TURN OVER TO TRUSTEES OF THE SOUTH CAROLINA INDUSTRIAL AND WINTHROP NORMAL COLLEGE ALL MARBLE AND TILING NOW ON HAND AND WHICH HAS BEEN BOUGHT FOR THE STATE HOUSE.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Remnants to be turned over. the Secretary of State is hereby authorized and directed to turn over to the Board of Trustees of the South Carolina Industrial and Winthrop Normal College all remnants of marble and tiling

Approval by State House Commission. left over from work on the State House as, in the judgment of the State House Commission, cannot be used in the completion of the State House and can be used to advantage in the construction of the South Carolina Industrial and Winthrop Normal College for the education of the white girls of South Carolina.

Approved January 4th, A. D. 1894.

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No. 337. A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE DIRECTORS OF THE PENITENTIARY TO FURNISH TO THE TRUSTEES OF CLEMSON AGRICULTURAL COLLEGE FIFTY CONVICTS, AND TO FURNISH TO THE REGENTS OF THE LUNATIC ASYLUM FIFTY CONVICTS, AND TO FURNISH TO THE TRUSTEES OF THE SOUTH CAROLINA INDUSTRIAL AND WINTHROP NORMAL COLLEGE ONE HUNDRED CONVICTS.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

Fifty convicts to Clemson College. in General Assembly, and by the authority of the same, That the Board of Directors of the South Carolina Penitentiary are

hereby authorized and required, upon the order of the Board of Trustees of Clemson Agricultural College, signed by their President and Secretary, to furnish to said Board of Trustees able-bodied convicts, not to exceed fifty at any one time, and to that end to allow such convicts as are now on hand at said College to be retained and other such to be furnished to make up the said number of fifty, said fifty convicts to be furnished on the terms, conditions and restrictions contained in Section 5 of an Act entitled "An Act to provide for the building and maintenance of the Clemson Agricultural College of South Carolina," December 23, A. D. 1889, except that these fifty convicts may be employed by said Trustees in dyking Seneca River, adjoining the College farm, and in such other work as to them may seem useful, for twelve months from the date of the approval of this Joint Resolution.

A. D. 1893.

Convicts now on hand.

Terms and conditions. 20 Stat., 301.

Employment.

SEC. 2. That the said Board of Directors of the South Carolina Penitentiary are further authorized and required, upon the order of the Board of Trustees of the South Carolina Industrial and Winthrop Normal College, signed by their Chairman and Secretary, to furnish to said Board of Trustees one hundred able-bodied convicts, said convicts to be employed in any and all work connected with said College, said convicts to be furnished until the work of building and finishing up said College is completed.

One hundred convicts to Winthrop College.

Employment.

SEC. 3. That the said Board of Directors of the South Carolina Penitentiary are further authorized and required, upon the order of the Board of Regents of Lunatic Asylum, to furnish said Board of Regents fifty able-bodied convicts during period between 10th day of July, 1894, and 1st day of October, 1894, said convicts to be employed to make brick for the purpose of building a new brick building for colored male patients.

Approved January 4th, A. D. 1894.

Fifty convicts to Lunatic Asylum.

Time.

Employment.

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A JOINT RESOLUTION AUTHORIZING THE TRUSTEES OF CLEMSON AGRICULTURAL COLLEGE TO PURCHASE THE TRACT OF LAND BELONGING TO MISS LEE WHICH ADJOINS THE LANDS NOW BELONGING TO SAID COLLEGE. No. 338.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same. That the Trustees of the Clemson Agricultural College of South Carolina be,

Purchase authorized.

A. D. 1893. and they are hereby, authorized to purchase for the benefit of said College the lands now belonging to Miss Lee, and which adjoins the lands on which the College is located: *Provided*, That they do not pay for the same more than the sum of ten thousand dollars, in five equal annual installments.

Location of land.

Limit to price.

Appropriation. SEC. 2. That for the purpose of making the first payment on same, the sum of two thousand dollars is hereby appropriated from the funds of the State now in the Treasury not otherwise appropriated.

Approved January 4th, A. D. 1894.

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No. 339. A JOINT RESOLUTION AUTHORIZING AND REQUIRING THE COUNTY TREASURERS OF THE SEVERAL COUNTIES IN THIS STATE TO REFUND TO ALL PERSONS WHO PAID TO THE SAID TREASURER THE ONE HUNDRED DOLLARS AS REQUIRED BY LAW FOR LIQUOR LICENSE FOR 1893 THE SUM OF FIFTY DOLLARS OUT OF TAXES OF FISCAL YEAR COMMENCING NOVEMBER 1, 1892.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Refund. the several County Treasurers of the several Counties of this State be, and they are hereby, authorized and required to pay over to each of the persons of their said Counties who paid to said Treasurers the one hundred dollars then required by law to be paid County Treasurers for liquor licenses for the year 1893

Amount. the sum of fifty dollars out of the funds in their hands from taxes of fiscal year commencing November 1st, 1892, being the one-half of the amount so paid by each of them, said Treasurers

Receipt. taking a receipt for the same, which shall be a proper voucher for them in their settlement with the County Auditors and

Condition. Comptroller-General: *Provided*, That no one shall be entitled to said refund until he has filed a certified oath that he has sold no whiskey or other spirituous or malt liquors since the first day of July, A. D. 1893, or directly or indirectly aided or abetted in such sale.

Copies to be sent to County Treasurers. SEC. 2. That copies of this Joint Resolution be immediately sent to each County Treasurer by the Secretary of State of the State.

Approved January 4th, A. D. 1894.

AN ACT TO AUTHORIZE THE STATE TREASURER TO REISSUE TO EDWARD R. ARTHUR AS ADMINISTRATOR WITH THE WILL ANNEXED OF THE ESTATE OF JAMES WALL, DECEASED, CERTIFCATE NO. 34 OF THREE PER CENT. STOCK OF THE STATE OF SOUTH CAROLINA, ORIGINALLY ISSUED UNDER THE ACT OF 1794 TO ARNOLDUS VANDERHORST IN TRUST FOR THE ESTATE OF JAMES WALL, DECEASED, AND DIRECTING THE SAID STATE TREASURER TO FUND THE SAME AS NOW PROVIDED BY LAW.

A. D. 1893.

No. 340.

Preamble.

*Whereas* it appears on the books of the Treasurer of the State of South Carolina that certain three per cent. stock is standing in the name of Arnoldus Vanderhorst in trust for the estate of James Wall, now deceased, being certificate of stock Number Thirty-Four (No. 34) of the stock of this State known as the Revolutionary War Claims, issued under the Act of 1794, bearing interest at three per centum, redeemable at pleasure, for two hundred and 58-100 ($200.58) dollars, with interest thereon for three hundred and seventy-seven quarters, ending July 1st, 1893, and amounting for interest to five hundred and sixty-five dollars and fifty cents, and for principal and interest to seven hundred and sixty-six dollars and eight cents ($766.08), and the same has been unclaimed for many years; *And whereas* the said certificate of stock has been lost, mislaid or destroyed; *And whereas* Edward R. Arthur, as administrator with the will annexed of the goods, chattels and credits of said James Wall, deceased, represents the heirs of the said James Wall, deceased, who filed their petition to establish their rights in said stock within the time limited by the Act of the General Assembly of this State, approved March 1st, 1878, entitled "An Act to discover the legal representatives of certain persons that appear as creditors on the State books in the Treasurer's office"; *And whereas* the said trust of the said Arnoldus Vanderhorst was merely nominal and has ceased by the lapse of time, more than ninety years having passed since the creation of the same: Therefore,

Recitals of issue

5 Stat., 239.

Recital of loss and proof.

16 Stat., 407.

Trust ended.

Certificate to be reissued.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Treasurer of the State of South Carolina be, and is hereby, authorized and empowered to reissue to the said Edward R. Arthur as administrator with the will annexed of the estate, chattels and credits which were of James Wall, deceased, said Certificate Number Thirty-four (No. 34) of three per cent. stock

A. D. 1893. of this State known as the "Revolutionary War Claims," and hereinbefore mentioned, upon proof being furnished to the said State Treasurer of the due appointment and qualification of the said Edward R. Arthur as administrator with the will annexed as aforesaid.

Refunding of certificate. SEC. 2. That the said State Treasurer be, and is hereby, authorized, empowered and directed, after the reissue of said stock, and at the request of the said Edward R. Arthur as administrator with the will annexed, as aforesaid, to fund the same on the terms and in the manner provided by the Act of the General Assembly of this State, approved December 22d, 1873, entitled 15 Stat., 518. "An Act to reduce the volume of the public debt and provide for the payment of the same," as amended 1879 and 1880, pro- 17 Stat., 104, 240 viding for the funding of "the certificates of stock issued under Act of 1794 and redeemable at pleasure."

Approved January 4th, A. D. 1894.

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No. 341. A JOINT RESOLUTION REQUIRING THE COMPTROLLER-GENERAL TO DRAW HIS WARRANT UPON THE STATE TREASURER IN FAVOR OF JEFFRIES AND EARLE, AND TO PROVIDE FOR THE PAYMENT OF THE SAME.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting Warrant. in General Assembly, and by the authority of the same, That the Comptroller-General be, and he is hereby, authorized and directed to draw his warrant upon the State Treasurer in favor of Jeffries and Earle, of Washington, D. C., in the sum of one Amount and consideration. thousand dollars in payment of their services for the State in the case of the Charlotte, Columbia and Augusta Railroad Company vs. Wade Hampton Gibbes, Treasurer of Richland County, Payment. South Carolina, and that the Treasurer pay said warrant when presented.

Approved January 4th, A. D. 1894.

A JOINT RESOLUTION AUTHORIZING AND REQUIRING THE SPEAKER AND CLERK OF THE HOUSE OF REPRESENTATIVES TO DRAW A PAY CERTIFICATE FOR THE PER DIEM OF DR. S. M. WYLIE, A LATE MEMBER OF THE HOUSE, WHO DIED ON THE EVE OF THE MEETING OF THIS GENERAL ASSEMBLY, IN FAVOR OF HIS WIDOW, MAY M. WYLIE.

A. D. 1893.
No. 342.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Speaker and Clerk of the House of Representatives be, and they are hereby, authorized and required to issue a pay certificate for the per diem of the late Dr. S. M. Wylie, a late member of the House of Representatives from Chester County, for this session of the Legislature, who died on the eve of the session; said pay certificate to be made payable to his widow, May M. Wylie.

Pay certificate to issue.

Payable to widow.

Approved January 4th, A. D. 1894.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND SECTION THREE HUNDRED AND SIXTY-FIVE OF THE GENERAL STATUTES," APPROVED DECEMBER 26TH, A. D. 1885.

No. 343.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 365 of the General Statutes, as amended by an Act approved December 26th, 1885, be amended by inserting between the words "shall hereafter" and "consist of," on the fifth line of said Section, the words "be known as the Board of Field and Line Officers of the Fourth Brigade, South Carolina Volunteer Troops, and shall." And between the words "this State" and "and their," in line eleven, inserting the words "and the senior ranking Captain in each of said battalions or regiments." So that this Section as amended shall read as follows:

Section 365 amended.

SEC. 365. That the corporation heretofore known as the Board of Field Officers of the Fourth Brigade, South Carolina Militia, and subsequently as the Board of Field Officers of the Fourth Brigade, South Carolina Volunteer Troops, shall hereafter be

Name of corporation of Fourth Brigade changed.

A. D. 1893.

known as the Board of Field and Line Officers of the Fourth Brigade, South Carolina Volunteer Troops, and shall consist of the Brigadier-General commanding the Fourth Brigade, South Carolina Volunteer Troops, and the field officers of the regiments and battalions now constituting the said Fourth Brigade, and the field officers of such regiments and battalions existing within the limits of the city of Charleston as may hereafter belong to the said Fourth Brigade under the laws of this State, and the senior ranking Captain in each of said battalions or regiments, and their successors in office. That the said corporation so composed shall continue to be a body politic and corporate for the purpose of holding all property, both real and personal, now owned or hereafter to be acquired by the said Board for the benefit of the said brigade as now constituted, or as the same may be composed of regiments and battalions existing within the limits of the city of Charleston. That the said corporation so composed shall continue to have power to take, purchase and hold property, both real and personal, for the benefit of the said brigade as now constituted, or of such parts of the said brigade as shall consist of regiments and battalions existing within the limits of the city of Charleston, and the same to pledge, sell and transfer, from time to time, on such terms and under such conditions and subject to such regulations as may be prescribed by the said corporation: *Provided, however,* That the property now held by them and known as Marion Square, otherwise called Citadel Green, shall forever be kept by them as a place for the military exercises of said brigade: *And provided, further,* That the Corps of Cadets of the State Military Academy shall have the right to use the said Marion Square, otherwise called Citadel Green, as a place for military exercises and recreation, under such regulations as may be prescribed by the Board of Visitors thereof. And that the present members of the said Board of Field Officers of the said Fourth Brigade are hereby recognized and confirmed as successors of the original corporators, and invested with all the rights, powers and privileges of said original corporators, and that all acts done by them or by any person heretofore acting as successors of said original corporators in the corporate capacity of field officers of the said Fourth Brigade be, and the same are hereby, confirmed.

Of whom it consists.

Purposes of corporation.

Property rights.

Marion Square.

Corps of Citadel Cadets may use this square.

Succession.

Acts confirmed.

Approved January 4th, A. D. 1894.

AN ACT TO AMEND SECTION 572 OF THE GENERAL STATUTES OF THIS STATE, IN RELATION TO RECEIPTS GIVEN BY STATE TREASURER.

A. D. 1893.
No. 344.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 572 of the General Statutes of this State be, and the same is hereby, amended so as to read as follows:

Amended.

SECTION 572. The Treasurer, on receiving money from the County Treasurers on account of State taxes and phosphate companies on account of phosphate royalty, or from any other person or persons whomsoever, on any account, shall issue duplicate receipts for the same, one of which shall be designated the original and the other the duplicate. The original shall be held by the person or persons making the payment of the money to the Treasurer, for his protection, and the duplicate shall be immediately sent to the Comptroller-General of the State by the State Treasurer, who shall from such duplicate receipt make up a cash-book, upon which he shall charge the State Treasurer with having received the amount so evidenced by said duplicate receipt. That said State Treasurer shall designate on the face of each receipt on what account the money has been paid, so that the Comptroller-General may be enabled to charge the said Treasurer separately with such amounts. If the State Treasurer shall neglect to furnish receipts, as aforesaid, he shall forfeit and pay a sum not exceeding two hundred dollars, nor less than fifty dollars, to be recovered in any Court having jurisdiction thereof, and the Comptroller-General, upon information made to him, shall take the necessary measures to cause the same to be recovered.

Treasurer to issue duplicate receipts.

Original.

Duplicate.

Statement in receipt.

Penalty.

Approved December 23d, A. D. 1893.

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AN ACT TO AMEND SECTIONS 923, 925, 926 AND 927 OF THE GENERAL STATUTES OF THE STATE OF SOUTH CAROLINA, RELATING TO APOTHECARIES.

No. 345.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sec-

Section 923 amended.

A. D. 1893.

tion 923 of the General Statutes be, and the same is hereby, stricken out, and the following inserted in the place thereof:

Pharmaceutical Examiners.

SECTION 923. The Pharmaceutical Association of the State of South Carolina shall elect six pharmacists doing business within this State, who shall constitute the Board of Pharmaceutical Examiners of the State of South Carolina, and shall hold office

Term of office.

as follows: One of them for the term of one year; another for two years; another for three years; another for four years; another for five years and another for six years, each, however, to hold further until his successor shall have been duly elected and qualified, and the said association shall at such election indicate the person chosen for each of said terms respectively. An-

Annual elections.

nually thereafter the said association shall elect one member of said Board to fill the vacancy annually recurring, such members so elected to hold office respectively for the term of six years and until his successor shall be elected and qualified. In case of the

Vacancies.

death, resignation or removal from the State of any member of the Board, the President of the association shall appoint in his place a pharmacist to serve for the remainder of his unexpired

Name and meetings.

term. The said Board shall be styled "The Board of Pharmaceutical Examiners," and shall meet in the city of Charleston, or at any other places in this State which may be designated by said association, once every four months, and keep in session until applicants who have previously made application to the Secretary of said Board shall have been examined. Four mem-

Quorum.

bers of said Board shall constitute a quorum for the transaction of business and the granting of licenses.

Section 925 amended.

SEC. 2. That Section 925 of the General Statutes be, and the same is hereby, amended by striking out the words "from one of the above named Boards" on the third and fourth lines of said Section and inserting instead thereof the words "from the above named Board." So that said Section as amended shall read as follows:

Apothecary must have license.

SECTION 925. Every pharmacist, apothecary or retail druggist who has not been previously licensed according to law who carries on and conducts the business of such occupation in this State must have a license therefor from the above named Board; and

Penalty for acting without.

any person who shall carry on and conduct the business of said occupations, or any of them, without such license shall be liable to indictment as for a misdemeanor, and on conviction subject to a fine not exceeding five hundred ($500) dollars or imprisonment not exceeding six months.

A. D. 1893.

Section 926 amended.

SEC. 3. That Section 926 of the General Statutes be, and the same is hereby, amended by striking out the words "that Board to which application is made," on the second and third lines of said Section, and inserting instead thereof the words "the Board." So that said Section as amended shall read as follows:

Examination of applicants.

SECTION 926. Before granting said license, except in cases hereinafter excepted, each applicant therefor shall undergo an examination by and before the Board, and of such nature as they shall require; but such examination must include the reading of manuscript prescriptions and the explanations thereof; the discovery or detection of unusual doses of drugs, especially of poisons; the recognition and distinguishing of the various roots, barks, leaves, fruits, resins and gums in common use; and the proper antidotes and mode of administration thereof for the different poisons.

Especial features.

Section 927 amended.

SEC. 4. That Section 927 of the General Statutes be, and the same is hereby, amended by striking out the whole of said Section and inserting the following instead thereof:

Graduates not to be examined.

SECTION 927. No examination shall be required in case the applicant is a regular graduate in pharmacy from any reputable college; but such applicant shall be entitled to a license upon furnishing evidence of his graduation satisfactory to the said Board and upon payment of a fee of five dollars. In case the applicant undergoes examination the charge for the same, and for granting the license, shall not exceed ten dollars, which amount shall go to the Pharmaceutical Association of the State of South Carolina: *Provided, however,* That outside of cities, towns and villages, and in towns or villages of three hundred inhabitants or less, where there is no regular pharmacist, practicing physicians shall have the right to compound and sell medicines upon their obtaining a special license from said Board of Pharmaceutical Examiners and paying therefor a fee of five dollars.

Fees.

In country places.

Physicians may act.

License and fee.

Physicians' own prescriptions.

SEC. 5. That nothing in this Act, however, shall be construed as intending to hinder or prohibit any physician lawfully engaged in the practice of his profession anywhere within this State from putting up his own prescriptions or dispensing his own medicines.

Repealing clause.

SEC. 6. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved January 4th, A. D. 1894.

A. D. 1893. No. 346. AN ACT TO AMEND SECTION 948 OF THE GENERAL STATUTES, AS TO THE DETENTION AND FUMIGATION OF CERTAIN VESSELS.

SECTION 1. *Be it enacted* by the Senate and House of Repre, sentatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 948 of the General Statutes of this State be so amended as to read as follows :

Section 948 amended.

Section as amended.

SECTION 948. For the more certain prevention of the introduction of disease into the several ports of this State, every vessel arriving from a foreign port, or from a suspected or infected port of the United States, shall immediately proceed to the Quarantine Station of the port of arrival and display a yellow flag, or the vessel's ensign in the rigging, and shall be visited by the Quarantine Officer between sunrise and sunset as soon as possible after such arrival. All vessels which have had infectious or contagious diseases on board during the voyage, or while in the port of departure, and also all vessels from infected or suspected latitudes or ports, shall be subjected to a detention for such time as the constituted health authorities at the port of arrival may deem requisite, and pratique shall not be given to any such vessel until such vessel shall have been thoroughly disinfected and fumigated, the cargo and ballast having been first discharged, unless the constituted health authorities of the said port shall deem such disinfection, fumigation and discharge unnecessary.

Quarantine regulations.

Detention.

Pratique.

Approved December 18th, A. D. 1893.

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No. 347. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND SECTION 1002 OF THE GENERAL STATUTES OF THE STATE, RELATING TO THE APPORTIONMENT OF THE FREE PUBLIC SCHOOL FUND."

A. A. 1892, 88, ante 109, amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section three (3) of an Act entitled "An Act to amend Section 1002 of the General Statutes of the State, relating to the apportionment of the free public school fund," be, and the same is

hereby, amended by striking therefrom the word "Aiken." So that said Section when so amended shall read as follows: A. D. 1893.

SECTION 3. That the provisions of this Act shall not apply to the Counties of Abbeville, Charleston, Beaufort, Berkeley, Sumter, Richland, Barnwell, Georgetown, Colleton, Hampton, Williamsburg and Clarendon. Counties excepted.

Approved December 20th, A. D. 1893.

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AN ACT TO AMEND SECTION 1604, CHAPTER 45, OF THE GENERAL STATUTES, ENTITLED "OF VAGRANTS," AND REPEALING THE OTHER SECTIONS OF SAID CHAPTER. No. 348.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section sixteen hundred and four, Chapter forty-five, of the General Statutes of this State be, and the same is hereby, amended by striking out all the words on the last line of said Section after the word "vagrants" on said line, and by adding the following words to said Section: "And upon conviction thereof, before a Court of Trial Justice, shall be fined in a sum not exceeding one hundred dollars or thirty days' imprisonment." So that said Section when amended shall read as follows: Section 1604 amended. Amendments.

All persons wandering from place to place, without any known residence, or residing in any city, County or town, who have no visible or known means of gaining a fair, honest and reputable livelihood; all suspicious persons going about the country swapping and bartering horses, (without producing a certificate of his or their good character signed by a Trial Justice of the County from which said persons last came); likewise all persons who acquire a livelihood by gambling or horse racing, without any other visible means of gaining a livelihood; all keepers of gaming tables, faro banks, or other banks whatsoever used for gaming known under any other denomination; also, all persons who lead idle and disorderly lives; all who knowingly harbor horse thieves and felons, and those who are known to be of that character and description; likewise all persons not following some handicraft, trade or profession, or not having some known or visible means of livelihood, who shall be able to work, and occupying or being in possession of some piece of land shall not cultivate such a quantity thereof as shall be deemed by the Trial Justice to be Vagrants defined.

A. D. 1893.

necessary for the maintenance of himself and his family; also, all persons representing publicly for gain or reward, without being fully licensed, any play, comedy, tragedy, interlude or farce, or other entertainment of the stage, or any part thereof; all fortune tellers for fee or reward, and all sturdy beggars, are, and shall be, deemed vagrants, and upon conviction thereof before a Court of Trial Justice shall be fined in a sum not exceeding one hundred dollars or thirty days' imprisoment.

Punishment.

Sections 1605-1609, repealed.

SEC. 2. That said Chapter be further amended by striking out all of the other Sections of said Chapter.

Approved December 22d, A. D. 1893.

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No. 349. AN ACT TO AMEND SECTION 1667 OF THE GENERAL STATUTES, SO AS TO SHORTEN THE TIME WITHIN WHICH MECHANICS MAY SELL PROPERTY LEFT WITH THEM FOR REPAIRS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1667 of the General Statutes be amended by striking out the words "one year" from the third line of said Section as printed, and by inserting in lieu thereof the words "ninety days." So that said Section as amended shall read as follows:

Section 1667 amended.

Sale of property for work done on it.

SECTION 1667. It shall be lawful for any mechanic in this State when property may be left at his shop for repairs to sell the same at public outcry to the highest bidder after the expiration of ninety days from the time of written notice to the owner of such property that such property has been repaired; and the same shall be sold by any Trial Justice of the County in which the work was done: *Provided*, That the said Trial Justice shall, before selling such property, advertise the same for at least fifteen days by posting a notice in three of the most conspicuous places in his township. And he shall, after deducting all proper costs and commissions, pay to the claimant the money due him, taking his receipt for the same; after which he shall deposit the said receipt, as well as the items of costs and commissions, with the remainder of money or proceeds of the sale, in the office of the Clerk of the Court, subject to the order of the owner thereof or his legal representatives.

Time and notice

Advertisement by Trial Justice.

Disposition of proceeds.

Approved January 4th, A. D. 1894.

AN ACT TO AMEND SECTION 2184 OF THE GENERAL STATUTES, RELATING TO THE PERSONS FOR WHOSE BENEFIT ACTIONS FOR DAMAGES MAY BE BROUGHT BY THE EXECUTORS OR ADMINISTRATORS OF PERSONS WHOSE DEATH SHALL HAVE BEEN CAUSED BY THE WRONGFUL ACT, NEGLECT OR DEFAULT OF ANOTHER.

A. D. 1893.
No. 350.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2184 of the General Statutes adopted by the General Assembly of 1881–82 be, and the same is hereby, amended so as to read as follows:

Section 2184 amended.

SECTION 2184. Every such action shall be for the benefit of the wife, husband, parent and children of the person whose death shall have been so caused; and if there be none such, then for the benefit of the heirs-at-law or distributees of the person whose death shall have been so caused, as may be dependent on him for a support, and shall be brought by, or in the name of, the executor or administrator of such person; and in every such action the jury may give such damages as they may think proportioned to the injury resulting from such death to the parties, respectively, for whom and for whose benefit such action shall be brought, and the amount so recovered shall be divided among the beforementioned parties in such shares as they would have been entitled to if the deceased had died intestate and the amount recovered had been personal assets of his or her estate.

For whose benefit the action shall be.

By whom brought.

Distribution of recovery.

Approved December 20th, A. D. 1893.

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AN ACT TO AMEND CHAPTER LXXXVII. OF THE GENERAL STATUTES, RELATING TO JURIES, AND ENTITLED "OF JURIES."

No. 351.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Chapter eighty-seven, Section 2234, of the General Statutes be amended by striking out said Section 2234 and insert instead thereof the following:

Section 2234 amended.

A. D. 1893.

Board of Jury Commissioners.

SECTION 2234. The County Auditor, the County Treasurer and the Clerk of the Court of Common Pleas and General Sessions of each County shall constitute the Board of Jury Commissioners for their respective Counties.

Section 2235 amended.

SEC. 2. That Section 2235 of the said Chapter be repealed and the following inserted instead thereof:

Duties.

SECTION 2235. That the said County Auditor, County Treasurer and Clerk of the Court of Common Pleas and General Sessions shall perform the duties required of them as Jury Commissioners without compensation.

No pay.

Section 2255 amended.

SEC. 3. That Section 2255 of the said Chapter be repealed and the following inserted therefor:

Deficiency in jurors.

SECTION 2255. Whenever it shall be necessary to supply any deficiencies in the number of grand or petit jurors duly drawn, whether caused by challenge or otherwise, it shall be the duty of the Jury Commissioners, under the direction of the Court, to

Tales box.

draw from the special apartment in the jury box known as the tales box such number of fit and competent persons to serve as jurors as the Court shall deem necessary to fill such deficiency.

Clerk to keep box.

That it shall be the duty of the Clerk of the Court to keep said jury box in his custody.

Three locks and keys.

SEC. 4. The jury box shall be provided with three locks, each different. The key to one lock shall be kept by the Clerk of the Court, one by the Auditor and one by the Treasurer, so that no two of said Commissioners shall hold keys to the same lock.

When to take effect.

SEC. 5. This Act shall go into effect immediately upon approval by the Governor.

Approved December 18th, A. D. 1893.

# ACTS AND JOINT RESOLUTIONS

OF THE

## GENERAL ASSEMBLY

OF THE

# STATE OF SOUTH CAROLINA.

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## PART II.

## Special Acts and Joint Resolutions.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE BOARD OF TRUSTEES OF THE ASSOCIATE REFORMED PRESBYTERIAN SYNOD OF THE SOUTH," APPROVED THE 24TH OF DECEMBER, 1880. No. 352.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Board of Trustees of the Associate Reformed Presbyterian Synod of the South," approved the 24th of December, 1880, be, and the same is hereby, amended by adding the following thereto as Section five, to wit: A. A. 1880, 17 Stat., 446, amended.

SECTION 5. That it may be lawful for said Board of Trustees and for the said Associate Reformed Presbyterian Synod to keep all the record of their meetings and minutes in a printed Record of meetings.

A. D. 1893.

pamphlet or book, and each copy thereof, when duly certified by the Secretary of said Board or Stated Clerk of said Synod, shall be the official and legal records of said Board or Synod in all things relating to the proceedings and acts of said Board or Synod, and shall be competent evidence thereof.

Certified copy. To be official and evidence.

Approved December 20th, A. D. 1893.

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No. 353. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE SOUTH CAROLINA LAND AND IMMIGRATION AGENCY," APPROVED DECEMBER THE 22D, 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the South Carolina Land and Immigration Agency," approved December the 22nd, 1891, be, and same is hereby, amended by adding after Section 7 of said Act the following, to be designated as Section 8:

A. A. 1891, 20 Stat., 1134, amended.

May act as agent or trustee

SECTION 8. That the said corporation shall have the right and power to act as the agent of any individual or corporation and as the trustee under any mortgage or deed of trust of any individual or corporation.

Change in numbering.

SEC. 2. That Section 8 be amended so that the same shall be designated Section 9.

Approved January 4th, A. D. 1894.

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No. 354. AN ACT TO INCORPORATE THE SOUTHERN TRUST COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George J. Marsh, Charles K. Oliver, George Wallace and B. L. Abney, together with such other persons as now are or hereafter may be associated with them, and their successors, shall be, and they are hereby, constituted and made a body politic and corporate under the name of the Southern Trust Company, and by that

Corporators.

Incorporation and name.

name shall have succession; may sue and be sued, plead and be impleaded, in any Court in this State; may adopt and use a corporate seal and may alter the same at pleasure; may adopt all such by-laws for the general management and direction of the business and affairs of the corporation, not inconsistent with the laws of the United States and of this State, as may be deemed proper, and may add to, alter or amend the same from time to time as may be desired; and shall have also such powers and privileges as are hereinafter provided. A. D. 1893. Powers. Seal. By-laws.

SEC. 2. The capital stock of said corporation shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, and to be paid for at such times and in such manner as the Board of Directors shall decide: *Provided*, That no business shall be transacted until fifty thousand dollars shall have been subscribed. The said corporation may increase its capital stock from time to time until the same amounts to one million dollars; and the said corporation shall by its by-laws or Board of Directors provide for the manner of raising and distributing such additional capital stock. Capital stock. Proviso. Increase.

SEC. 3. The said corporation shall have power to receive and hold moneys or property in trust or on deposit from Courts of law or equity and Courts of Probate, executors, administrators, assignees, corporations, or individuals, upon such terms or conditions as may be obtained or agreed upon; any Court of law or equity and Courts of Probate may, by decree or otherwise, direct any moneys or property under its control, or that may be paid into Court by the parties to any legal proceedings, to be deposited with said corporation upon such terms and subject to such instructions as may be deemed expedient by said Court: *Provided, however*, That said corporation shall not be required to assume or execute any trust without its own assent. The said corporation shall have power also to act as trustee under any mortgage, deed of trust or bond, or other instrument in writing issued by any municipality or body politic or corporate or individual, and to accept and execute any other municipal or corporate trust, not inconsistent with the laws of this State or of the United States; to act as the fiscal or transfer agent of any State or municipality, body politic or corporate, or individual, and in such capacity to receive and disburse money and to transfer, register and countersign certificates of stock, bonds or other evidences of indebtedness; to accept trusts from and execute trusts for or on behalf of married women; to act under the appointment of any Court of May receive and hold in trust. Proviso. To act as trustee under deeds, &c. And as fiscal agents. Trusts for married women

A. D. 1893.

record as guardian or trustee of the estate of any minor or other person under any disability; to be appointed and to accept the appointment of executor or trustee under the last will and testament, or administrator, with or without the will annexed, of the estate of any deceased person; and to be appointed and to act as the committee or trustee of the estate of lunatics and persons of unsound mind.

Guardian, trustee, &c. Executor, &c. Committee.

Banking, &c., business.

SEC. 4. The said corporation shall have the power also of carrying on and transacting a general banking, savings and trust, and other like business. And in the conduct of the same shall have power to receive money on deposit, to allow interest thereon, and to invest such deposits, their capital stock and other funds, in bank or other stocks, in bonds, notes, bills, choses in action and other securities, and in the bonds or stocks of any city, in this or any other State of the United States, or the same to lend on real estate, secured by mortgage or otherwise, or on the pledge of gold and silver, bonds, notes, bills, stocks, choses in action and securities of all or any kinds; to discount bonds, notes and bills of exchange, and to guarantee the payment of notes, bonds, bills of exchange and other evidences of debt; to buy and sell, on commission, stocks, bonds, real estate, manufactories, mines, timbers and all kinds of real and personal property; to negotiate loans upon commission; and in order to increase the capacity of said corporation to make loans upon the security of real estate, power and authority is hereby given said corporation to issue its own registered or coupon bonds, to be secured in such manner as may be provided for by contract; and said corporation shall be capable of taking, holding and disposing of their capital stock and all other property of every kind, and also of taking, holding and dividing, disposing of or investing the increase, profits or emoluments of their capital stock or other property as aforesaid; and shall have the right and power to acquire, purchase, take and hold in its corporate name lands, real estate or personal property, and the same to grant, sell, mortgage, exchange and convey in fee simple or otherwise. The business and property of the corporation shall be managed and disposed of and dividends of the profits of the business of the corporation shall be made and disclosed in such manner as may be prescribed by the rules and by-laws of said corporation.

Deposits. Investments. Loans. Discounts and guarantees. Brokerage business. May issue registered bonds. Property rights. Profits. Property rights. By-laws.

Voting by stockholders.

SEC. 5. Each stockholder shall have one vote for each share of the capital stock of the said corporation he may own or represent at all elections and meetings of the company, and the Board of

A. D. 1893.

Directors of the said corporation are authorized to make such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings. Proxies.

SEC. 6. The capital stock of said corporation shall be deemed personal property, and the said corporation shall have authority in its by-laws or by the Board of Directors to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for collecting and enforcing, by sale or otherwise, all subscriptions made thereto. Capital stock to be personal property. Issue and transfer of stock

SEC. 7. The said corporation shall have power to enforce upon their members the due observance of all rules and by-laws for the government and management of the affairs of the corporation; and to that end, if need be, shall and may institute and maintain in their corporate name against any one or more of their members all necessary suits, actions and pleas for the recovery of any sum or sums of money to the use of the said corporation in as ample a manner as such suits might be maintained against persons not members of said corporation. Enforcement of rules. Actions.

SEC. 8. When any deposit is made by a person being a married woman or a minor, the said corporation may pay to such person such sum or sums so deposited on the check, order or receipt of such depositor, which said check, order or receipt shall be lawful discharge therefor. Checks by minors, &c.

SEC. 9. That said corporation shall also have, and is hereby vested with, all the powers, rights and privileges, and is hereby subject to all the liabilities and restrictions, contained in the Act entitled "An Act to provide for and regulate the incorporation of banks in this State," approved December 24, 1885, except where the same provides that no more than an amount equal to one-half of the capital stock of said corporation and one-half of its deposits shall be invested in mortgages of real estate at any one time, and except in so far as the said Act or any part thereof is inconsistent with the provisions of this Act or any part thereof. Rights and liabilities. 19 Stat., 212. Exceptions.

SEC. 10. That the duration of the charter hereby granted shall be for the term of thirty years and until the final adjournment of the General Assembly next thereafter. Duration.

Approved December 22d, A. D. 1893.

A. D. 1893. No. 355.

## AN ACT TO INCORPORATE THE "SUPREME COUNCIL OF THE DAUGHTERS OF CORNELIUS."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. Mary Holmes, Maria English, Sophie Nesbit, Nancy Folin, Susan Williams, Elizabeth Moore, Emma Jackson, Carrie Huger, Georgiana Brown, Sylvia Grenham and Sarah Daily and their associates, who have formed an association under the

Incorporation and name. name of the "Supreme Council of the Daughters of Cornelius," and their successors, shall be, and they are hereby declared to be, a body politic and corporate, under the name and style of the "Supreme Council of the Daughters of Cornelius."

Succession, powers, &c. SEC. 2. That the said association shall have succession of officers and members according to its by-laws, and shall have power to make by-laws not repugnant to the laws of the land;

Subordinate lodges. to issue dispensations for the institution of subordinate lodges in any part of the State, said subordinate lodges to be subject to such by-laws, rules and regulations as may be imposed by the Supreme Lodge, not repugnant to the laws of the land; to have,

Seal. use and keep a common seal, and the same to alter at will; to

Rights. sue and be sued, to plead and be impleaded, in any Court in this State, and to have and enjoy every right incident to incorpora-

Property rights. tion. It is empowered to retain, possess and enjoy all such property, real and personal, as it may now possess, or be entitled to, or which shall hereafter be given, bequeathed or in any manner acquired by it, and to sell, alien or in any way transfer or dispose of the same or any part thereof: *Provided,*

Limit. The amount of property so held shall not exceed one hundred thousand dollars.

Life insurance. SEC. 3. That the said association shall have power to make by-laws providing for and regulating a system of life insurance among its members for their mutual benefit.

Public Act. When to take effect. Duration. SEC. 4. That this Act shall be deemed a public Act, and shall take effect from its passage, and shall continue in force for thirty years, and until the final adjournment of the General Assembly meeting next thereafter.

Approved December 22d, A. D. 1893.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AND EXTEND THE CHARTER OF THE CAROLINA MIDLAND RAILWAY COMPANY, FORMED BY THE CONSOLIDATION OF THE BLACKVILLE, ALSTON AND NEWBERRY RAILROAD COMPANY AND THE BARNWELL RAILWAY COMPANY," APPROVED DECEMBER 22D, A. D. 1891.*

A. D. 1893.
No. 356.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section two (2) of an Act entitled "An Act to amend and extend the charter of the Carolina Midland Railway Company, formed by the consolidation of the Blackville, Alston and Newberry Railroad Company and the Barnwell Railway Company," approved December 22d, A. D. 1891, be, and the same is hereby, amended so as to read as follows:

A. A. 1891, 82, 20 Stat., 1143, amended.

SECTION 2. That the said Carolina Midland Railway Company be, and it is hereby, authorized and empowered to operate and maintain its present railroad, extending from the town of Allendale, in the County of Barnwell, by or through the town of Blackville, in Barnwell County, to the town of Sievern, in Aiken County. That the said company, in addition to the right to construct, maintain and operate a railroad along the route prescribed by the respective charters of the Barnwell Railway Company and the Blackville, Alston and Newberry Railroad Company, shall further have the right to construct, maintain and operate a railroad from the said town of Sievern along the most practicable route, to be selected by the said company, to the town of Greenwood, in Abbeville County, or some point in its vicinity, and from the town of Barnwell to the Savannah River, and from the town of Barnwell to tide water, by such route as the said corporation may select, and with the right to construct, maintain and operate all turnouts, side tracks and branch roads as the said corporation shall deem necessary: *Provided*, That the said line of road shall not be constructed within three miles of an air line from the town of Barnwell to the city of Charleston, except within three miles from the town of Barnwell and within nine miles from the city of Charleston: *Provided*, That unless the work of constructing said extension of railroad from the town of Sievern to the town of Greenwood, in Abbeville County, or some point in its vicinity as aforesaid, shall be commenced within six years from the first day of January, eighteen hundred and ninety-four, the right to construct, main-

Operation of present road.

Route of road.

Turnouts, branch roads, &c.

Proviso as to route.

Time for commencing work on extension to Greenwood.

A. D. 1893.

tain and operate said extension of railroad from Sievern to Greenwood, or some point in its vicinity as aforesaid, shall be of no force and effect: *And provided*, That unless the work of constructing said extension of railroad from the town of Barnwell to the Savannah River as aforesaid shall be commenced within six years from the first day of January, eighteen hundred and ninety-four, the right to construct, maintain and operate said extension of railroad from Barnwell to the Savannah River as aforesaid shall be of no force and effect: *And provided*, That unless the work of constructing said extension of railroad from Barnwell to tide water as aforesaid shall be commenced within six years from the first day of January, eighteen hundred and ninety-four, the right to construct, maintain and operate said extension of railroad from Barnwell to tide water as aforesaid shall be of no force and effect.

On extension to Savannah River.

On extension to tide water.

Section 13 repealed.

SEC. 2. That Section thirteen (13) of said Act entitled "An Act to amend and extend the charter of the Carolina Midland Railway Company, formed by the consolidation of the Blackville, Alston and Newberry Railroad Company and the Barnwell Railway Company," approved December 22d, 1891, be, and the same is hereby, repealed.

20 Stat., 1143.

Approved December 22d, A. D. 1893.

NOTE.—A duplicate of this Act was approved January 4th, 1894. Its publication is unnecessary.—EDITOR.

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## No. 357. AN ACT TO INCORPORATE THE CHARLESTON AND MACON RAILWAY COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. Walter McIver, H. A. Molony, George M. Trenholm, P. N. Pickens and W. C. Miller, and such other persons and corporations as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate by the name and style of the Charleston and Macon Railway Company, and by that name may sue and be sued, plead and be impleaded, in any Court in this State or in the United States, and shall have all the rights, powers and privileges, and be subject to all the liabilities, provisions and restrictions, set forth and

Corporators.

Incorporation, name and powers.

granted in and by an Act of the General Assembly of the said State of South Carolina entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23d, A. D. 1885; and shall be subject to all the duties, liabilities, restrictions and other provisions contained in General Statutes of the State of South Carolina, Chapter XL., "Of Railroad Corporations—General Railroad Law," one thousand eight hundred and eighty-one, with all the amendments that may have been, or may hereafter be, made thereto. A. D. 1893. 19 Stat., 171. Duties and restrictions.

SEC. 2. That the said company shall be, and is hereby, authorized to construct, maintain and operate a railroad with any gauge, with one or more tracks, in this State, extending from Charleston or some point near thereto, through the Counties of Charleston, Berkeley, Colleton, Hampton and Barnwell, westward to Savannah River, by such routes as said company may determine, and with the further privilege of building branch roads on either side of the routes, from such points on either of the said routes and to such other points as the said company may deem expedient: *Provided*, That no such branch road shall exceed twenty miles in length. Route of road. Branch roads. Limit to length.

SEC. 3. That the said railroad company is hereby authorized to construct and operate one or more lines of telegraph or telephone along its line or lines of railroad, and to charge and collect such remuneration for messages as the President of the said company or the Board of Directors thereof may determine, and may connect such lines of telegraph or telephone with the lines of telegraph or telephone of any other company in this or any adjoining State, and may lease, rent out or sell such lines of telegraph or telephone, with all the rights and privileges thereto belonging, as in the judgment of the President and Board of Directors of the said company may be deemed advantageous to the said company. Telegraph and telephone lines. Connections. Leases.

SEC. 4. That the said company may also own, lease, charter and run such steamboats and sailing vessels and other water craft as may be necessary to conduct a general freight and passenger business in connection with their said railroads to any of the ports of the United States, and to and from all points on any of the navigable streams in this State; and may purchase, construct and own, lease or rent, such wharves, warehouses and elevators as may be necessary for said purpose. Vessels. Wharves, &c.

SEC. 5. That the said company shall have every right, power and privilege for the purpose of acquiring such lands and rights Lands and rights of way.

A. D. 1893.

of way, not to exceed fifty feet on each side of their road bed, as may be required for locating and constructing the said railroads and the branches thereof, and the said telegraph and telephone line, and also lands for the erection and location of depots, warehouses, stations, wharves and other necessary establishments, and for altering and extending the same, and the benefit of every process and proceeding, and be subject to the restrictions provided and imposed by Sections 1550 to 1561, both inclusive, of the General Statutes of the State of South Carolina—"Manner of Acquiring the Right of Way."

Crossing of roads and streams.

SEC. 6. That the said company shall have power to conduct their road across and over any public road, river, creek, water course or water courses that may be in their route, including the Savannah River, so far as the rights of this State therein are concerned: *Provided*, That the passage of the roads and the navigation of the waters be not obstructed thereby otherwise than allowed by the laws of this State.

Proviso.

Capital stock.

SEC. 7. That the capital stock of said company shall be one hundred thousand dollars, in shares of one hundred dollars each, with privilege of increasing such capital stock in such amounts as the said company from time to time may, by a majority vote of its stockholders, determine to carry out the purposes of this Act: *Provided*, That the said capital stock shall at no time exceed the sum of five million dollars.

Limit.

Meeting to organize.

SEC. 8. That when the sum of five thousand dollars shall have been subscribed to the capital stock of said company, the said corporators, or a majority of them, shall, within a reasonable time thereafter, appoint a time and place for a meeting of said stockholders, of which fifteen days' notice shall be given in such newspaper of this State as they deem necessary, at which time and place the said stockholders may proceed to the organization of said company by the election of not less than three nor more than thirteen Directors, as the by-laws to be adopted may determine, which said Directors shall elect one of their number to be the President of the said company. The said Board of Directors and the said President so elected shall hold their offices for one year and until their successors be elected.

Notice.

Organization.

Directors.

President.

Term.

Bonds, mortgages and preferred stock.

SEC. 9. That the said company is hereby authorized and empowered to mortgage any and all of its property and franchises and to issue bonds and preferred stock to such an amount and on such terms and conditions and for such uses and purposes of said company as a majority of the stockholders thereof shall deem necessary or expedient for the interest of the company.

A. D. 1893.

May operate completed sections.

SEC. 10. That the said railroad company is further authorized and empowered forthwith, upon the completion or acquirement by purchase, lease or consolidation, as hereinbefore provided, of any portion or section of said railroad between any point through which the same may run under this charter, to operate and maintain such portion or section, with all the rights, powers and privileges hereby granted to said company.

Public Act.

SEC. 11. That this Act shall be held and deemed a public Act, and the rights, powers and privileges conferred by this Act shall vest and continue in said company and their successors for and during the term of fifty (50) years, to be computed from the time of the approval of this Act.

Duration.

Time for work to begin.

SEC. 12. That the construction of said railroad shall be begun within two years from the passage of this Act, otherwise the same shall have no force and effect.

Approved December 20th, A. D. 1893.

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No. 358.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE CHESTER AND LENOIR NARROW GAUGE RAILROAD COMPANY, AND TO AUTHORIZE THE CONSOLIDATION OF SAID COMPANY WITH THE CAROLINA NARROW GAUGE RAILROAD COMPANY AND THE KING'S MOUNTAIN RAILROAD COMPANY."

A. A. 1874, 14, 15 Stat., 393, amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 4 of an Act entitled "An Act to incorporate the Chester and Lenoir Narrow Gauge Railroad Company, and to authorize the consolidation of said company with the Carolina Narrow Gauge Railroad Company and the King's Mountain Railroad Company," approved February 26, 1873, be, and the same is hereby, amended so as to read as follows:

Meeting of subscribers to stock.

SECTION 4. That whenever the sum of ten thousand dollars shall have been subscribed to the capital stock of said company, it shall be the duty of the Commissioners above named, or of any three of them who may act, to call a general meeting of the stockholders, after giving such notice as to them shall seem sufficient, and at such times and places as they shall determine; and at all general meetings of said stockholders not less than a

A. D. 1893. majority of all the stock subscribed shall constitute a quorum for the transaction of business; and said stockholders, when so met in general meeting, shall have the power to elect a President and Directors for said company, whose term of office shall be for one year, and until others are chosen. In the election of President and Directors, and in enacting such laws as may be necessary, the stockholders shall be entitled to one vote for each share owned. That this Act shall take effect immediately after its approval.

Quorum.

President and Directors. Term.

Voting.

Approved January 4th, A. D. 1894.

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No. 359. AN ACT TO AMEND SECTION 17 OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE NORFOLK, WILMINGTON AND CHARLESTON RAILROAD COMPANY," APPROVED DECEMBER 24, A. D. 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of same, That Section 17 of an Act entitled "An Act to incorporate the Norfolk, Wilmington and Charleston Railroad Company," approved December 24, A. D. 1891, be, and the same is hereby, amended by inserting in second line of said Section, after the word "years," the words "from 24th December, A. D. 1893," and by striking out from third line of said Section the words "of the passage of this Act" and inserting in place thereof the words "last mentioned." So that said Section as amended shall read as follows:

A. A. 1891, 917, 20 Stat., 1172, amended.

SECTION 17. That said railroad company shall commence work upon said railroad within two years from 24th December, A. D. 1893, and shall complete said railroad within five years from the date last mentioned, and in default thereof shall forfeit all the rights and franchises hereby granted.

Time limited for work on road.

Approved December 22d, A. D. 1893.

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No. 360. AN ACT TO EXTEND THE TIME FOR THE COMPLETION OF THE PICKENS RAILROAD.

*Whereas,* The Townships of Pickens, Eastatoe and Hurricane in the County of Pickens and the town of Easley in said County

Preamble.

have expressed by popular vote their willingness to be taxed in aid of the Pickens Railroad in the amounts fixed by an Act of the General Assembly approved December 22nd, 1891; *And whereas*, The notice of the County Commissioners provided that said railroad should be built and equipped within twelve months from date; *And whereas*, The whole line of said railroad has been graded, crosstied and bridged. Now, therefore, for the purpose of extending the time for the completion of the said railroad: A. D. 1893. 20 Stat., 1446.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the time for the building and completion and equipping of the Pickens Railroad from the town of Easley to and within the corporate limits of the town of Pickens be extended to the first day of January, A. D. 1899. Time entended.

SEC. 2. That upon the completion of the said railroad from the town of Easley to the town of Pickens, the township and town bonds provided for in said Act of December the 22nd, 1891, be issued and delivered to the Pickens Railroad Company in accordance with the terms of said Act, and when so issued said bonds are hereby declared to be debts of said Townships of Pickens, Eastatoe and Hurricane and said town of Easley respectively, and the amounts fixed by said Act of December the 22nd, 1891. Issue and delivery of bonds. Bonds declared to be debts of the corporations

Approved December 22d, A. D. 1893.

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AN ACT TO REPEAL THE CHARTER OF THE PORT ROYAL AND AUGUSTA RAILWAY COMPANY, AND TO PROVIDE FOR LIQUIDATING THE SAID CORPORATION AND FOR A DISTRIBUTION OF ITS ASSETS, AND TO REGULATE THE FORMATION OF A NEW CORPORATION AND THE MANAGEMENT THEREOF BY ANY PURCHASERS OF THE SAME. No. 361.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Port Royal and Augusta Railway Company, a corporation created by and existing under the laws of this State, be, and the same is hereby, repealed; and that the said corporation be, and the same is hereby, dissolved. Charter repealed. Corporation dissolved.

A. D. 1893.

Attorney-General to institute proceedings to wind up.

SEC. 2. That the Attorney-General of this State be, and he is hereby, directed and instructed to institute forthwith proper proceeding to liquidate the said corporation, to restrain it or its stockholders, or creditors, or any or either of them, from in any way asserting or exercising, or attempting to assert or exercise, any rights, privileges or franchises as a corporation; to have a receiver appointed of all the property and assets of the said corporation, to have its accounts duly taken and audited, to have its said property and assets sold and distribution of the proceeds thereof made among its several creditors and stockholders in accordance with law.

Receiver to be appointed.

Distribution.

Purchasers may form new corporation.

SEC. 3. The purchaser or purchasers of said railroad property shall be, and they are hereby, authorized and empowered to form a new corporation under the provisions of Sections 1420 to 1424, inclusive, of the General Statutes of this State; and such corporations, when duly formed in accordance with such provisions, shall have powers and enjoy all the rights, privileges, franchises and immunities heretofore enjoyed or possessed by the said Port Royal and Augusta Railway Company under its said charter. In order to prevent the said railroad from being controlled by any competing line or lines, no purchaser or purchasers thereof, either at the sale herein provided for or at any other, nor any other person or persons, shall be allowed to run or in any way exercise the franchises to operate the said railroad without becoming first incorporated under the laws of this State; and no such corporation shall be formed by any purchaser or purchasers of the said railroad property, or any other person or persons, for the purpose of running, operating or in any wise controlling or holding the said railroad property, except with the prior consent in writing of the Governor, the Attorney-General and the Chairman of the Board of Railroad Commissioners of this State, and no such consent shall be given by the said Governor, Attorney-General and Chairman of the Board of Railroad Commissioners for the formation of any such corporation unless it be made fully and absolutely to appear to their satisfaction that no competing line or lines are in any way, directly or indirectly, interested therein, the evidence establishing such fact to be filed in the office of the Secretary of State of this State.

Rights, franchises, &c.

Prior incorporation required.

Prior consent of Governor *et al.* required.

Terms of consent.

Competing lines excluded.

SEC. 4. That no individual or corporation, or combination of either, who may in any manner whatsoever, directly or indirectly, control any transportation line competing with said railroad, or have a controlling interest in any corporation or corporations operating such competing lines, or in any way representing or

acting for such corporation or corporations, shall be or become, at any time, owner or owners of a controlling interest in the said corporation authorized to be created and organized under the provisions of this Act; and should any such corporation or corporations, individual or individuals, at any time become so interested, then the charter herein authorized shall become *ipso facto* null and void, and the franchises, powers and privileges thereby conferred shall cease and determine absolutely, and it shall be the duty of the Attorney-General of this State to immediately institute proceedings in any Court having jurisdiction thereof to liquidate the same in the manner herein provided, and the sale and purchase of the said property under such proceedings shall be subject to all the provisions and restrictions in this Act contained.

A. D. 1893.

New company not to become interested in competing lines

Forfeiture of charter.

Action to vacate.

SEC. 5. Nothing in this Act contained shall prevent the running and operation of the said railroad, with all the privileges and franchises named in the said charter, until such time as such railroad shall be sold under any judicial proceedings and delivery made to the purchasers thereof.

Temporary operation of road.

Approved January 3d, A. D. 1894.

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## AN ACT TO INCORPORATE THE SANTEE, WALTERBORO AND PORT ROYAL RAILROAD COMPANY.

No. 362.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the formation of a corporate company is hereby authorized for the construction, maintenance and operation of a railroad from a point on the South Carolina Railroad between Pregnall's and George's, or from a point on the Charleston, Sumter and Northern Railroad between Pregnall's and Eutawville, either or both, with power and authority to cross or connect with either or both of said railways, and to build thence in a Southerly direction to Walterboro, in the County of Colleton, and thence also in a Southerly direction to Beaufort and Port Royal, in Beaufort County, a track or tracks of any gauge which may be decided upon, with power and authority to condemn, where necessary, a right of way not exceeding one hundred (100) feet in width, together with the right to condemn a suitable area for the pur-

Corporation authorized.

Route of road.

Gauge.

Right of way and depot sites.

A. D. 1893.

pose of providing a depot or terminal facilities at Port Royal, such condemnation proceedings to be conducted in manner provided for by law.

Corporators.

SEC. 2. That this charter, with the rights and privileges and franchises incident thereto, is hereby granted to L. A. Klauber, of George's, S. C., H. H. Harper, of George's, S. C., B. Mantoue, of New York, N. Y., Eugene Mantoue, of New York, N. Y., George F. Von Kolnitz, Jr., of Charleston, S. C., F. M. Ronan, of Charleston, S. C., and R. G. Ward, of Charleston, and such other persons as may be associated with them their successors and assigns, and the said company shall have all the

Rights and liabilities.

rights, powers and privileges, and be subject to all the liabilities, provisions and limitations, set forth and contained in an Act entitled "An Act to provide for and regulate the incorporation of

19 Stat., 171.

railroad companies in this State," approved December 23rd, 1885.

Name.

SEC. 3. That the name of said company shall be "The Santee, Walterboro and Port Royal Railroad Company."

Capital stock.

SEC. 4. The capital stock of said company shall be twenty-five thousand (25,000) dollars, with the right to increase the same to one hundred thousand (100,000) dollars, to be divided into shares of one hundred (100) dollars each, which said capital stock may be used for and appropriated to the purposes above set forth.

Books of subscription.

SEC. 5. That a majority or any three of the aforesaid corporators shall give one week's notice of the opening of the books of subscription in any newspaper published in Charleston, S. C., to be kept open for thirty days from date of such first notice, and

First meeting of subscribers.

whenever the sum of five thousand (5,000) dollars is subscribed to the capital stock of said company the said corporators, or a majority of them, shall within a reasonable time thereafter appoint a time and place for the meeting of said stockholders, of which two weeks' notice shall be given in such newspapers of this State as they may deem necessary, at which time and place

Organization.

said stockholders may proceed to the organization of said company by the election of six Directors, which said Directors shall

President and Directors.

elect one of their number to be President of said company. The said Board of Directors and the said President so elected shall

Term of office.

hold their offices for one year and until their successors are elected.

Leases.

SEC. 6. That any lease, transfer or consolidation of the company hereby incorporated shall be submitted to a meeting of the stockholders and be ratified by three-fourths of said stockholders before the same shall be legal or binding.

A. D. 1898.

Crossing of roads and streams.

SEC. 7. That the said company shall have power, if need be, to conduct their railroads across and over any public road, river or creek, water or water courses that may be in their route: *Provided*, That the passage of the roads or the navigation of the waters be not obstructed thereby.

Track through streets.

SEC. 8. That the said railroad company be, and they are hereby, authorized and empowered, by and with the consent of the Council of any towns or cities through which they may pass, or at which their road may terminate, to construct their tracks through one or more of the public streets or ways of such towns or cities: *Provided*, That in such construction and extension all necessary precaution in extending the work be taken not to obstruct or otherwise impair the use of any streets or public highway through which the said railroad may be constructed or extended.

Proviso.

Operation of completed sections.

SEC. 9. That the said railroad company is further authorized and empowered forthwith, upon the completion or acquirement by purchase, lease or consolidation, as hereinbefore provided, of any portion or section of said railroad between any points through which the same may be run under this charter, to operate and maintain such portion or section with all the rights, powers and privileges hereby granted to said company.

May issue coupon bonds.

SEC. 10. The said company is hereby authorized to execute, issue and deliver to any person or persons, trustee, body corporate or politic, bonds not to exceed twenty thousand dollars per mile for the payment of money, with coupons attached, bearing a rate of interest not greater than that allowed by law, and in denominations from one hundred to one thousand dollars each, payable at such time or times as may be determined, to sell and to dispose of said bonds for such price or consideration as said company may deem proper; said bonds to be secured by one or more deeds of trust or mortgage upon the real estate, property or franchises of said company, to be made payable at such time and authenticated in such manner as the Board of Directors of said company may direct.

Description.

Sale of bonds.

Mortgages.

Public Act.

SEC. 11. That this Act shall be held and deemed a public Act, and the right, powers and privileges conferred in this Act shall rest and continue in the said company and their successors for and during the period of fifty years or until repealed, to be computed from the time of the approval of this Act.

Duration.

Time for completion limited.

SEC. 12. It is hereby provided that the said road shall be completed for at least ten miles of its length from the initial point within three years after the passage of this Act, and the balance

A. D. 1893. thereof as soon after as practicable, or this charter, or so much thereof as shall not be completed within five years of its date, shall then be forfeited.

Approved January 4th, A. D. 1894.

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No. 363. A JOINT RESOLUTION TO APPOINT A BOARD OF TRUSTEES OF THE ESTATE OF DR. JOHN DE LA HOWE.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Board appointed. James C. Klugh, A. K. Watson, B. A. Boyd, John B. Holliway and J. U. Wardlaw be, and they are hereby, appointed a Board of Trustees of the estate of Dr. John De La Howe, late of

Term of office. Abbeville County, who shall hold their offices for the term of four years from the first Monday in April, A. D. 1894.

Approved December 20th, A. D. 1893.

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No. 364. AN ACT TO INCORPORATE THE TOWN OF CORONACA, IN THE COUNTY OF ABBEVILLE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from

Incorporation. and after the passage of this Act all citizens of this State who have resided sixty days in the town of Coronaca, in the County of Abbeville, shall be deemed, and are hereby declared, a body politic and corporate, and the town shall be called and known as

Name and limits. Coronaca, and its corporate limits shall extend one-half mile North, South, East and West from the depot of the "Port Royal and Western Carolina Railway," so that said town of Coronaca shall be one mile square.

Rights and liabilities. SEC. 2. That the said town of Coronaca shall have all the rights, powers and privileges and be subject to all the provisions and limitations enumerated and contained in an Act entitled

19 Stat., 174. "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved 23rd

December, 1885. The first election for Intendant and Wardens of said town shall be held on the 14th day of February, 1894, between the hours of 9 A. M. and 4 P. M. A. D. 1893. First election.

SEC. 3. That it shall be unlawful for any druggist or other person to sell any spirituous or malt liquors, or any medicated liquor of which spirituous liquors form an ingredient, within the incorporate limits of said town, upon the prescription of a physician or otherwise, and any and all persons violating the provisions of this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine or imprisonment, or both, within the discretion of the Court. And the Town Council of said town is hereby authorized and empowered to pass such ordinances as may be deemed necessary, with appropriate penalties, to enforce the observance and punish all violations of the provisions of this Section. Sale of liquors prohibited. Penalties. Ordinances.

SEC. 4. That this Act shall be deemed a public Act, shall go into effect for a period of thirty years, and until the final adjournment of the General Assembly next thereafter. Public Act. Duration.

Approved January 4th, A. D. 1894.

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AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF DUE WEST, IN THE COUNTY OF ABBEVILLE," APPROVED MARCH 9, 1874. No. 365.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to renew and amend the charter of the town of Due West, in the County of Abbeville," approved March 9th, 1874, be, and the same is hereby, amended by striking out the words "in each direction," on line nine, and inserting in lieu thereof the words "East and seven-eighths of a mile West"; and by striking out the words "a half," on line twelve, and inserting in lieu thereof the words "five-eighths." So the said Section when amended shall read as follows: A. A. 1874, 81, 15 Stat., 615, amended.

SECTION 1. That all persons, citizens of the United States and of this State, who now are, or hereafter may be, inhabitants of the town of Due West, in the County of Abbeville, shall be deemed, and are hereby declared, a body politic and corporate; Incorporation.

A. D. 1893. and said town shall be called and known by the name of Due West, and its limits shall be deemed and held to extend three-quarters of a mile East and seven-eighths of a mile West along the main street, from the Associate Reformed Church as a centre, and a half mile on each side of said main street, so as to include an area of one and five-eighths miles in length and one mile in width.

Name and limits.

Approved January 4th, A. D. 1894.

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No. 366. AN ACT TO AUTHORIZE THE CITY COUNCIL OF AIKEN TO USE CERTAIN MONEYS COLLECTED UNDER A SPECIAL TAX AUTHORIZED BY ACT OF DECEMBER 23, 1891, FOR THE CERTAIN PURPOSES OF SAID CITY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whereas a special tax was levied and collected by the City Council of Aiken under said Act of December 23d, 1891, called the water tax, which has never been used as provided in said Act, the said City Council is hereby authorized and empowered to use said fund in defraying the expenses of an artesian well now being dug in said city.

Water tax.

20 Stat., 1210.

Appropriated.

Approved December 20th, A. D. 1893

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No. 367. AN ACT TO AUTHORIZE THE CITY COUNCIL OF AIKEN TO ORDER AN ELECTION FOR THE PURPOSE OF ISSUING BONDS FOR THE PURPOSE OF PUTTING IN A SYSTEM OF WATER WORKS AND SEWERAGE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City Council of Aiken is hereby authorized and empowered, upon the presentation to them of a petition, in writing, of a majority of the freehold voters of said city, to order an election, upon two weeks' notice by advertisement in a newspaper published in said

On petition.

Election to be advertised.

city of the time and place of said election, to determine the question whether or not said city shall issue bonds in an amount to be petitioned for, as aforesaid, by said freehold voters, not to exceed fifty thousand dollars. A. D. 1893. On question of issue of bonds.

SEC. 2. That in the event of an election being called, as above provided for, the question as to whether or not said bonds shall be issued shall be determined by a majority of the qualified voters who shall vote at said election. Majority to determine.

SEC. 3. That if a majority of the qualified voters, voting at said election, shall vote in favor of issuing said bonds, then the City Council of Aiken is hereby empowered and authorized to issue bonds to the amount so voted, and in such denominations, and to fall due at such times, not earlier than ten years from the date thereof, as may be determined by resolution of said Council: *Provided*, Said bonds shall bear no greater rate of interest than six per cent. per annum. Issue of bonds. Description. Interest.

SEC. 4. That said City Council of Aiken shall have full power to sell said bonds and to use the money arising therefrom for the exclusive purpose of erecting said water works or sewerage system or both: *Provided*, Said bonds shall not be sold for less than their par or face value. Use of bonds. Proviso.

Approved December 22d, A. D. 1893.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO CREATE A SEPARATE SCHOOL DISTRICT FROM PORTIONS OF AIKEN AND ORANGEBURG COUNTIES, INCLUDING THE TOWN OF SALLY, IN AIKEN COUNTY.'" No. 368.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend an Act entitled 'An Act to create a separate school district from portions of Aiken and Orangeburg Counties, including the town of Sally, in Aiken County,'" be, and the same is hereby, amended so as to read as follows: A. A. 1892, ante 166, amended.

SECTION 1. That an Act entitled "An Act to create a separate school district from portions of Aiken and Orangeburg Counties, including the town of Sally, in Aiken County," be, and the same is hereby, amended so as to exclude from the said school A. A. 1891, 20 Stat., 1206, amended.

A. D. 1893. district therein mentioned that portion lying East of a certain road running from Oakley Springs, by way of Benjamin Corbett's mill and Sawyer old store to William Jones', on Ninety-Six road.

Area.

Further amendment. SEC. 2. That wherever in said Act herein amended are mentined the words "Orangeburg County," the same be amended by striking out said words "East of said line," as above mentioned.

Repealing clause. SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

When to take effect. SEC. 4. That this Act shall take effect immediately upon its approval.

Approved December 20th, A. D. 1893.

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No. 369. AN ACT FOR THE ESTABLISHMENT OF A SEPARATE SCHOOL DISTRICT IN THE COUNTY OF AIKEN, TO BE KNOWN AS "THE NEESETON SCHOOL DISTRICT."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all of that territory lying within the limits of a circle, the centre whereof is Neeseton postoffice in Aiken County, and extending in all directions therefrom two and one-half miles, be, and the same is hereby, created a separate school district in said County, to be known as the Neeseton School District.

Area.

Creation; name.

Incorporation. SEC. 2. That said school district is hereby created a body politic and corporate, with all the rights, powers, privileges and liabilities as are provided for school districts by the General School Law of South Carolina, and as are set forth in an Act entitled "An Act to provide for the establishment of separate school districts in the several cities, incorporated towns and villages in this State, to authorize the levy and collection of special taxes therein, and to authorize the levy and collection of special taxes in the several school districts now formed or hereafter to be formed outside of cities, incorporated towns and villages," approved December 24th, A. D. 1888.

Rights and liabilities.

20 Stat., 49.

Approved January 4th, A. D. 1894.

AN ACT TO ABOLISH THE OFFICE OF MASTER IN ANDERSON COUNTY AND TO DEVOLVE ITS DUTIES UPON THE PROBATE JUDGE AS SPECIAL REFEREE, AND TO FIX HIS PAY THEREFOR.

A. D. 1893.
No. 370.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the office of Master for the County of Anderson be, and the same is hereby, abolished, and all the duties appertaining to that office shall be devolved upon the Probate Judge of Anderson County, who shall, in addition to his fees as Probate Judge, receive the same fees paid the Master.

Office abolished.

Duties devolved on Probate Judge.

Fees.

SEC. 2. That the present Master shall turn over to the Probate Judge for Anderson County all moneys, bonds and mortgages and other evidences of indebtednesss made payable to the Master of said County, who is hereby authorized and directed to receive the same, and who shall be liable on his official bond for the same.

Moneys and papers to be turned over.

SEC. 3. That the said Probate Judge of Anderson County be, and he is hereby, authorized, empowered and directed to collect and sue on, in his official capacity as Probate Judge for said County, all bonds, mortgages and other evidences of indebtedness so turned over to him by said Master, and to pay out the same according to the orders and decrees heretofore made or hereafter to be made in the different cases on which they were taken.

Powers of Probate Judge.

SEC. 4. That the Circuit Judge when presiding in Anderson before whom any cause may come in which a reference is necessary shall appoint the Probate Judge of Anderson County Special Referee with the powers and duties appertaining to Special Referees in Counties where there is no Master.

Probate Judge to be Special Referee in all cases.

SEC. 5. That this Act shall not take effect until the first day of November, 1894, and nothing herein contained shall prevent the Master from hearing all causes now referred to him and reporting his findings thereon to the Circuit Court or from receiving the fees now allowed for such services. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

When to take effect.

Pending causes.

Repealing clause.

Approved January 4th, A. D. 1894.

A. D. 1893. No. 371.

AN ACT TO FIX THE COMPENSATION OF THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS FOR ANDERSON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the clerk of the Board of County Commissioners for the County of Anderson shall be allowed compensation for his services as such clerk at the rate of two dollars per day: *Provided*, Said clerk shall not be allowed compensation for a time exceeding one hundred days in each year.

Compensation.

Limit to number of days.

Repealing clause.

SEC. 2. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved December 20th, A. D. 1893.

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No. 372. AN ACT TO REPEAL SECTION 3 OF AN ACT ENTITLED "AN ACT RELATING TO THE COMPENSATION OF THE COUNTY COMMISSIONERS OF LANCASTER AND ANDERSON COUNTIES AND THEIR CLERKS," APPROVED 19TH DECEMBER, 1887.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act relating to the compensation of the County Commissioners of Lancaster and Anderson Counties and their clerks," approved 19th December, 1887, be, and the same is hereby, repealed.

A. A. 1887, 83, 19 Stat., 949, repealed.

Approved December 20th, A. D. 1893.

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No. 373. AN ACT TO AMEND SECTION ONE OF AN ACT ENTITLED "AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF BELTON," APPROVED DECEMBER 24, 1889.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. D. 1893.

A. A. 1889, 81, 20 Stat., 455, amended.

Section one of an Act entitled "An Act to renew and amend the charter of the town of Belton," approved December 24, 1889, be, and the same is hereby, amended so as to read as follows:

Incorporation.

SECTION 1. That all persons who reside in the town of Belton and their successors be, and they are hereby, declared to be a body politic and corporate under the name of the "Town of Belton," and the limits of said town shall extend for one-half mile each way from the foundation of the old freight depot of the Columbia and Greenville Railroad as it stood prior to March first, 1872.

Name and limits.

SEC. 2. That this Act shall take effect on its approval.

Approved December 22d, A. D. 1893.

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No. 374.

A JOINT RESOLUTION AUTHORIZING THE SCHOOL COMMISSIONER TO APPROVE THE TEACHER'S PAY CERTIFICATE OF P. B. GRIFFIN FOR SIXTY DOLLARS FOR SCHOOL DISTRICT NO. 15 IN ANDERSON COUNTY, AND THE TREASURER OF SAID COUNTY TO PAY THE SAME.

Pay certificate to be approved.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of the County of Anderson be, and is hereby, authorized and empowered to affirm the teacher's pay certificate of P. B. Griffin for sixty dollars for school taught in School District No. 15 in Anderson County for the year 1890, and that the County Treasurer of said County do pay the same out of the school fund apportioned to said district for the present fiscal year.

And paid.

Approved December 22d, A. D. 1893.

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No. 375.

AN ACT TO RECHARTER BROWN'S FERRY OVER SAVANNAH RIVER IN ANDERSON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. D. 1893.

Brown's Ferry rechartered.

the charter of the ferry over the Savannah River in Anderson County known as Brown's Ferry be, and the same is hereby, renewed and continued in force from and after the passage of this Act until amended or repealed, and the same is hereby vested in John Brown, his executors, administrators and assigns, subject to like powers, privileges and limitations as were formerly conferred upon the owner of said ferry by law: *Provided, however,* That the following rate of ferriage only shall be charged and collected, to wit: Single passengers, five cents; man and horse, fifteen cents; horse and buggy, twenty-five cents; one horse wagon, twenty-five cents; two horse wagon, fifty cents; four horse wagon, seventy-five cents.

Vested in John Brown.

Rates of toll.

Free passage.

SEC. 2. That all persons attending public meetings, elections and churches, and children going and returning from school, shall be exempt from any and all charges for ferriage.

Exclusive right.

SEC. 3. That no other ferry shall be established within two miles of the said ferry.

Approved December 22d, A. D. 1893.

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No. 376. AN ACT TO INCORPORATE THE TOWN OF FAIRFAX, IN BARNWELL COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or hereafter may be inhabitants of the town of Fairfax, in Barnwell County, in this State, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Fairfax, and its corporate limits shall extend one-half mile in each direction from the centre of the junction of the Port Royal and Augusta Railroad and South Bound Railroad.

Incorporation.

Name and limits.

Rights and limitations.

SEC. 2. Said town of Fairfax shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23rd, A. D. 1885, that are not inconsistent with this Act.

19 Stat., 174.

Time of elections.

SEC. 3. That the election for Intendant and Wardens of said town shall be held on the first Tuesday in February in each year until otherwise provided by law.

A. D. 1893.

First election.

Duty of Managers.

Public Act.

Duration.

When to take effect.

SEC. 4. That for the purpose of the first election for Intendant and Wardens of said town, J. W. Williams, F. M. Young and C. N. Terry be, and they are hereby, appointed managers to conduct said election, and the said managers shall give ten days' public notice of such election by posting same in three conspicuous places in said town or by publication in some newspaper published therein.

SEC. 5. This Act shall be a public Act and shall continue in force thirty years from the date of its approval, and until the final adjournment of the General Assembly next thereafter.

SEC. 6. This Act shall take effect immediately upon its approval.

Approved December 20th, A. D. 1893.

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No. 377.

AN ACT TO AMEND THE CHARTER OF THE "PEOPLE'S BANK OF GRAHAM, S. C.," TO THAT OF THE "PEOPLE'S BANK OF DENMARK."

Change of name.

20 Stat., 641.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the People's Bank of Graham, S. C., a corporation created under a charter issued out of the Secretary of State's office of the State of South Carolina on the 24th day of October, 1889, be, and is hereby, permitted to change the name of said bank to that of the "People's Bank of Denmark."

Approved January 4th, A. D. 1894.

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No. 378.

A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTAIN SCHOOL CERTIFICATES TO MISS M. L. BREDEMAN.

Miss Bredeman to be paid $134.45.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Treasurer of Barnwell County be, and he hereby is, directed,

A. D. 1893. out of any funds which are now or may hereafter come into his hands to the credit of the Blackville Graded School District, to pay to Miss M. L. Bredeman or her assignees the sum of one hundred and thirty-four 45-100 dollars, upon the presentation to him of four certificates or warrants signed by the Treasurer of said school district, and aggregating said amount, and dated April 8, 1892.

Approved December 22d, A. D. 1893.

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No. 379. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF SYCAMORE, IN BARNWELL COUNTY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Sycamore in Barnwell County," be, and the same is hereby, amended by striking out Section three (3) of said Act, and changing the figures four (4) and five (5) to three (3) and four (4), respectively, in the two remaining Sections.

A. A. 1888, 20 Stat., 124, amended.

When to take effect. SEC. 2. This Act shall take effect immediately after its approval by the Governor.

Approved December 20th, A. D. 1893.

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No. 380. A JOINT RESOLUTION TO AUTHORIZE THE TREASURER OF BEAUFORT COUNTY TO APPLY CERTAIN FUNDS TO THE PAYMENT OF JURORS AND WITNESSES DURING THE FISCAL YEAR 1893–1894.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer for Beaufort County be, and he hereby is, authorized and directed to place to the credit of a special fund for the payment of jurors and witnesses who shall attend Court during the fiscal year 1893–1894, to be expended according to law, the balance now on hand and unexpended of the fund

Balances appropriated.

appropriated for the building of the new County jail and the fund now on hand to the credit of the past indebtedness fund of old Beaufort County. A. D. 1893.

Approved December 20th, A. D. 1893.

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AN ACT TO PROHIBIT THE CATCHING OF TERRAPINS BETWEEN THE FIRST DAY OF APRIL AND THE FIFTEENTH DAY OF JULY IN ANY YEAR WITHIN CERTAIN COUNTIES, AND TO PROVIDE FOR THE ENFORCEMENT OF THE PROVISIONS OF THIS ACT. No. 381.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be unlawful for any person to catch, trap, purchase, sell or (except as hereinafter provided) to have in his possession terrapins between the first day of April and the fifteenth day of July of any year, within the limits of Horry, Georgetown, Charleston, Beaufort, Colleton and Berkeley Counties.

Prohibition as to terrapins.

At a certain season in certain Counties.

SEC. 2. That any person or persons having terrapins in his or their possession previous to the first day of April of any year and desiring to carry them over and retain possession of the same until the succeeding fifteenth day of July shall, within ten days of the first day of April of each year, make a report in writing to the Inspector hereinafter provided for of the number of terrapins he or they has or have in his or their possession for that purpose on the first day of April of each year, the said report to state the location of said terrapins and in what pens the said terrapins are kept, so that the said Inspector may be enabled to find said terrapins or pens and ascertain the correctness of the report.

Persons wishing to retain possession.

Must make report.

SEC. 3. That the report herein provided for shall be sworn to, as being true and correct in every particular, before a Notary Public or any officer entitled by law to administer oaths.

Report to be verified.

SEC. 4. That it shall be the duty of the said Inspector to visit all places reported to him as aforesaid in which terrapins are to be kept between the first day of April and the fifteenth day of July of each year, and ascertain whether the reports made to him, or any of them, are incorrect or false. In case the said Inspector should determine that any of the said reports are in-

Visit by Inspector of Terrapins.

Proceedings where report is incorrect.

A. D. 1893.

correct in its statement as to the number of terrapins which are to be retained as aforesaid, or of the location in which said terrapins are kept, he shall proceed to a Trial Justice of the County in which the person who makes the report which is considered incorrect by the Inspector as aforesaid resides, and said Trial Justice shall have such person brought before him (as in cases of misdemeanor within the jurisdiction of the Trial Justice) to make answer to the charges that the report so made by him as aforesaid is incorrect or false; and in case the Trial Justice finds that said report is incorrect or false, the person or persons so making the said report shall be fined the sum of $25, and the Inspector shall release all terrapin that may be found belonging to said person or persons.

Penalty for false report.

Release of terrapins.

Release of terrapins not reported.

SEC. 5. That all terrapin found by the said Inspector between the first day of April and the fifteenth day of July of which a report shall not have been made as aforesaid, or which were not included in the said report, or which have been acquired between the first day of April and the fifteenth day of July, shall be released and set free by the Inspector, wherever the same may be found: *Provided, however,* That the Inspector may not so release and set free said terrapin until the time for making the said report in each year has expired.

Proviso.

Authority of Inspector.

SEC. 6. That for the purpose of carrying out the provisions of this Act the said Inspector shall have authority to enter all premises or vessels or boats of any description found in the water within the boundaries of this State whenever he may suspect that the provisions of this Act are being violated.

Penalty for handling terrapins out of season.

SEC. 7. That any person who shall catch, trap, purchase, sell or have in his possession terrapin between the first day of April and the fifteenth day of July of any year in violation of the provisions of this Act shall be deemed guilty of a misdemeanor and be punished for such offense by a fine not less than $25 or more than $100, or by imprisonment of not less than ten days or more than thirty days, in the discretion of the Trial Justice before whom the case shall be tried. The possession of terrapin will be *prima facie* proof that such possession is unlawful.

*Prima facie* evidence.

Appointment and duties of Inspector.

SEC. 8. That the Governor shall appoint each year an Inspector, whose term of office shall commence on the 20th of March of each year, whose duty it shall be, between the first day of April and the first day of August of each year, to sail up and down the coast of the State to see the provisions of this Act enforced, and who shall prosecute before a Trial Justice in the

A. D. 1898.

County in which the offender or offenders, or any of them, reside or resides if they or he be citizens or a citizen of this State; and in case such offender or offenders is or are not residents of this State, then before the Trial Justice where the Inspector may deem most conveniently located. The Inspector shall have power and authority to enter upon all boats within the waters included within the boundaries of this State which he may suspect of violating the provisions of this Act, and proceed to arrest it and its crew and take the said crew before the Trial Justice which, in the discretion of the said Inspector, is most conveniently located from where said arrest is made. That each person so violating or aiding in violating the provisions of this Act shall be deemed guilty of a misdemeanor and subject to the penalties herein imposed.

Entry on boats.

Penalty for violation of this Act.

SEC. 9. The Trial Justice shall in all cases under this Act brought before him proceed as in other cases of misdemeanor within his jurisdiction which are brought before him.

Proceedings by Trial Justice.

SEC. 10. That the salary of the Inspector herein provided for shall be seven hundred dollars per annum, which shall include the expense of keeping a boat and one assistant and all other expenses: *Provided, however,* That in case the license fees and penalties hereafter provided for do not equal the sum of seven hundred, he shall be paid only so much as has been collected from said source.

Compensation of Inspector.

Source of payment.

SEC. 11. That it shall be unlawful for any person or persons to retain or remove any female terrapin which shall measure less than five inches on the bottom shell from knuckle to knuckle, but all such terrapin if caught or trapped, or wherever found, shall be immediately returned to the water, and all violations of this Section shall be punished by a fine not less than $20 or more than $50 or by imprisonment of not less than five or more than ten days for the first seizure, and by a fine not less than $75 or more than $100 or by imprisonment of not less than twenty days or more than thirty days for each subsequent offense.

Provisions as to female terrapin.

Penalty.

SEC. 12. That each and every person engaged in the purchasing, penning and selling of terrapin shall apply to the County Commissioners of either of the Counties mentioned in the Act for a license for the same, and the said County Commissioners, upon the payment of ten dollars by said person or persons, shall issue to such person or persons a license to deal, barter or traffic in the terrapin business in the waters of the State for one year,

License to be obtained by dealers.

License fee.

A. D. 1893.

and said license shall be put in a conspicuous place on or about the pen where the terrapin are kept.

To be posted.

Powers and duties of Inspector.

SEC. 13. That the said Inspector shall have full authority, and it shall be his duty, to enforce all the provisions of this Act, and the said Inspector is authorized to appoint such persons as he may deem fit to assist him in preventing violations of this provision of this Act, who shall be entitled to one-half of the penalties which shall be collected in cases of violations of this Act which may be reported and made known by them.

Assistants.

Pay.

Payment of Inspector.

SEC. 14. That the Inspector shall be paid by the County Commissioners of Charleston County by warrant upon the County Treasurer of said County, and all license fees and penalties for the violation of this Act in any of the Counties mentioned in this Act shall be turned over by the County Treasurer of the respective Counties to the County Treasurer of Charleston County, and shall be applied, as far as such moneys extend, by the County Commissioners of Charleston County for payment of the Inspector as herein provided for.

Fees and penalties to be turned over.

When paid.

SEC. 15. That the said Inspector shall be paid in the manner above specified on the first day of September of each year.

Repealing clause.

SEC. 16. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved January 4th, A. D. 1894.

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No. 382. AN ACT TO AUTHORIZE THE ISSUE AND SALE OF CERTAIN BONDS BY BEAUFORT COUNTY, THE EXPENDITURE OF THE PROCEEDS THEREOF, AND THE REDEMPTION AND PAYMENT OF THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That as soon as practicable after the passage of this Act, the County Commissioners of Beaufort County are empowered, directed and required to issue coupon bonds for and in the name of said County to the amount of twenty thousand ($20,000) dollars, bearing interest not exceeding six (6) per centum per annum, payable annually, the principal sum to become due and payable at the end of ten years from the date thereof, and the said bonds to be in denominations of one hundred ($100) dollars, five hun-

Issue of bonds authorized.

Amount and description.

dred ($500) dollars and one thousand ($1,000) dollars, the number of bonds of each respective denomination to be within the discretion of said Board of County Commissioners: *Provided*, The entire issue does not exceed the said sum of twenty thousand dollars. A. D. 1893. Limit.

SEC. 2. That as soon as said bonds have been signed by the said Board of County Commissioners, under the corporate seal of the County, and countersigned by the clerk of the Board, they shall be turned over to the County Treasurer, who shall countersign the same, when such bonds shall then become valid and binding on said County, after which the said County Treasurer shall proceed to sell the said bonds to the best advantage of the County: *Provided*, The selling price shall not be less than the face value of said bonds. To be countersigned by County Treasurer. And sold. Price.

SEC. 3. That when said bonds or any part thereof are so sold the proceeds thereof shall, by the said County Treasurer, be placed to the credit of the general County and school funds for the payment of claims for the fiscal year ending November 1st, 1893, and then shall be disposed of in due course of law in the same manner as if the same had arisen from the collection of the levy made for general County and school purposes for said fiscal year. And should any surplus remain over after paying said claims for said fiscal year the same shall be carried over to the credit of said funds, to be expended during the fiscal year ending November 1st, 1894, in like manner. Proceeds to be used for County and school purposes. Surplus.

SEC. 4. That whenever the proceeds from the sale of said bonds shall equal in amount the tax levy for general County and school purposes above mentioned, the County Treasurer shall issue to each taxpayer a receipt for his or her taxes, exclusive of State and poll tax, for the fiscal year ending November 1st, 1893, without requiring any direct payment of said taxes. And such persons as may have paid any such taxes shall be entitled to have the same, except State and poll tax, refunded by the County Treasurer upon presentation of his or her tax receipt. Proceeds to be in lieu of taxes for 1892-93. Except State and poll tax. Refund of taxes

SEC. 5. That there shall be levied and collected annually, in addition to all other taxes and as a special fund, one (1) mill, of which fund so much as may be necessary shall be used to meet the annual interest on said bonds, and the balance shall be reserved as a sinking fund for the final redemption of the principal of said bonds, and this fund shall be used for no other purpose whatsoever. Annual tax levy. For interest and sinking fund.

SEC. 6. The County Treasurer is authorized and directed to invest the said sinking fund in bonds and other good and safe Investment of sinking fund.

A. D. 1893.

interest-bearing securities, and when the said fund so collected and invested shall be sufficient to liquidate said bonds and their interest, accrued and to accrue, then the levy and collection of said one mill shall cease.

Liquidation of debt.

Bonds non-taxable; coupons receivable for taxes.

SEC. 7. That said bonds shall be non-taxable for County and town purposes, and their coupons shall be receivable for County taxes.

Approved December 23d, A. D. 1893.

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No. 383. A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF VARIOUS PAST DUE SCHOOL CLAIMS IN BEAUFORT COUNTY.

Preamble.

Whereas the school teachers' pay certificates hereinafter described were for services actually rendered by the teachers named for the district named, for the year stated, but the funds being exhausted the same yet remains unpaid, and authority of law is needed for their payment; now, therefore

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Beaufort County is hereby authorized and required to approve, and the County Treasurer of said County to pay, out of any surplus funds now on hand or hereafter to be collected for and apportioned to the school district hereinafter named, the several school teachers' pay certificates for the year named to wit: All in the year A. D. 1889 for School District No. 2 in Beaufort County, as follows: To A. C. Reynolds or order, thirty dollars; to Mrs. G. P. Riley or order, thirty dollars; P. A. Riley or order, thirty dollars; to Mrs. P. A. Broctor or order, thirty dollars; to Henry J. Grant or order, thirty dollars; to Mrs. P. A. Proctor or order, thirty dollars; to Samuel G. Washington or order, thirty dollars; and to Miss Emma M. Simmons or order, thirty dollars.

Approval and payment directed.

Parties and sums.

Approved December 18th, A. D. 1893.

A JOINT RESOLUTION TO AUTHORIZE AND EMPOWER THE GOVERNOR TO APPOINT A SPECIAL CONSTABLE FOR YEMASSEE, AND TO DEFINE HIS POWERS AND DUTIES.

A. D. 1893.

No. 384.

*Whereas,* Yemassee is a junction on the Charleston and Savannah Railroad with the Port Royal and Augusta Railroad, situated in the Counties of Hampton and Beaufort; *And whereas,* Large numbers of people at times assemble at the said point, and at times great confusion and disturbances of the peace occur, and at times disturbances dangerous to human life arise; *And whereas,* The said place, Yemassee, is not an incorporated town: Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor is hereby authorized, by and withthe advice and consent of the Senate, to appoint a special police or Constable, with all the powers and duties of a peace officer, and that his powers shall extend to one-half mile in all directions around the depot at Yemassee, in both the Counties of Hampton and Beaufort. That all persons arrested for violating the laws of the State within the bounds aforesaid shall be brought to trial as follows: Those on the Beaufort County side before the nearest Trial Justice in Beaufort County, and those on the Hampton County side before the nearest Trial Justice in Hampton County. Governor to appoint. Powers and duties. Proceedings on arrest.

SEC. 2. That the said officer appointed under this Act shall receive as compensation the sum of one hundred dollars per annum, one-half to be paid to him by the County of Beaufort and one-half to be paid by the County of Hampton, and in the same manner as Constables are now paid out of the County treasury. Compensation. How paid.

Approved December 18th, A. D. 1893.

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A JOINT RESOLUTION TO AUTHORIZE THE COUNTY TREASURER OF BEAUFORT COUNTY TO PAY SCHOOL TEACHER'S PAY CERTIFICATE OF MR. M. A. WIGGINS, OF SCHOOL DISTRICT NO. 2.

No. 385.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. D. 1893.

Mr. Wiggins to be paid $30.

the County Treasurer of the County of Beaufort be, and he is hereby, authorized to pay the teacher's pay certificate of Mr. M. A. Wiggins for thirty dollars, now past due, out of any funds in his hands, or to come into his hands, for School District No. 2 for the fiscal year commencing November 1st, 1892.

Approved December 22d, A. D. 1893.

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No. 386. AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF BERKELEY COUNTY TO PROVIDE FOR THE DIETING AND MAINTENANCE OF PRISONERS CONFINED IN THE COUNTY JAIL.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Berkeley be, and they hereby are, required, upon the requisition of the Sheriff, to provide at the expense of the County all food and other articles necessary and proper for the dieting and maintenance of prisoners confined in the jail of said County.

County Commissioners to furnish prisoners.

No dieting fees to the Sheriff.

SEC. 2. That from and after the passage of this Act the Sheriff of Berkeley County shall not be entitled to demand or claim any fees or costs for dieting prisoners.

Repealing clause.

SEC. 3. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved December 22d, A. D. 1893.

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No. 387. AN ACT TO AUTHORIZE AND EMPOWER THE TOWN COUNCIL OF SUMMERVILLE TO ISSUE COUPON BONDS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Summerville be, and are hereby, authorized and empowered to issue coupon bonds, not to exceed in amount the sum of five thousand dollars, for the purpose of defraying the expense of erecting and furnishing the new town

Amount authorized.

Purposes.

hall. The number and denomination of said bonds, the times of payment and the rate of interest to be determined and fixed by the said Town Council, as in their judgment will be the most advantageous. That the said Town Council are authorized and empowered to mortgage the said new town hall to secure the payment of the said bonds and the coupons thereon, as they may be due and payable. A. D. 1893. Description. Mortgage of town hall.

Approved December 18th, A. D. 1893.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A NEW JUDICIAL AND ELECTION DISTRICT FROM A PORTION OF CHARLESTON COUNTY, TO BE KNOWN AS THE COUNTY OF BERKELEY, TO ASCERTAIN AND DEFINE THE BOUNDARIES OF SAID COUNTIES, AND TO PROVIDE FOR AND FIX THE SALARIES OF THE COUNTY OFFICERS THEREOF," SO AS TO CHANGE THE BOUNDARY LINES BETWEEN CHARLESTON AND BERKELEY COUNTIES, AND TO PROVIDE FOR RELOCATING THE COUNTY SEAT OF BERKELEY COUNTY, AND TO PROVIDE FOR CHANGES INCIDENT THERETO. No. 388.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to establish a new Judicial and Election District from a portion of Charleston County to be known as the County of Berkeley, to ascertain and define the boundaries of said Counties, and to provide for and fix the salaries of the County officers thereof," approved January 31st, 1882, be amended by striking out Section two (2) and three (3) and inserting in lieu thereof the following, to be known as Sections two (2) and three (3): A. A. 1882, 17 Stat., 682, amended.

SECTION 2. The boundaries of the said County of Berkeley shall be as follows: Eastwardly, Northeastwardly and North by the Santee River, separating it from the Counties of Georgetown, Williamsburg and Clarendon; North also by Orangeburg County; West and Northwestardly by Colleton County; South and Southwestwardly by Charleston County and Colleton County; and that it shall include within its limits all of the subdivisions formerly known as the Parishes of St. John's Berkeley, St. Stephen's, St. Boundaries of Berkeley County.

A. D. 1898.

Thomas and St. Dennis, St. James Goose Creek, and parts of St. James Santee and St. Andrew's.

Boundaries of Charleston County.

SECTION 3. That the boundaries of the County of Charleston shall be within the following lines: Beginning at the mouth of the South Edisto River where it empties into the Atlantic Ocean, and following up said river to the Dawho River; thence by this river to its intersection with the North Edisto River to Stono River; and thence up to Rantowle's Creek to its intersection with the Colleton County line; thence along said line to the Eastern bank of Ashley River; thence down said river to the line of Colleton County, on said bank; thence by a direct line to the Western bank of Cooper River; thence to the Parish of St. Philip's on the North, to and across Cooper River to the Wando River; thence up said Wando River to Guerin's Creek; thence up Guerin's Creek to Guerin's Bridge; thence by way of the Halfway Creek road across Halfway Creek to Thomson road and through Thomson road to the centre of Wambow Swamp; thence through the centre of said swamp to the head of Wambow Creek, and through said creek to South Santee River; thence down the South Santee River to the ocean to the line of the jurisdiction of the State; thence Southwardly along the line of the jurisdiction of the State to a point opposite the mouth of the South Edisto River; thence in a straight line to the beginning at the mouth of South Edisto River.

Section 4 amended.

SEC. 2. That Section 4 of said Act be amended so as to read as follows:

Commissioners to select County seat for Berkeley.

SECTION 4. That immediately upon the approval of this Act the Governor shall appoint a Board consisting of five persons, one from each of the subdivisions known as parishes out of which the said County of Berkeley is hereby formed, and one a citizen of some other County than either of the Counties of Charleston or Berkeley, which said Board shall select by vote of the majority of them a suitable place as the site of the County seat of the County of Berkeley, and shall, as soon thereafter as sufficient notice can, in their judgment, be extended to the qualified voters of Berkeley County, submit the question of the suitableness of the place so selected by them as the site of the County seat of said County to a special election, at which all of the qualified voters of said County shall have the right to vote on the question, to wit, all who shall have resided twelve months within the State and sixty days within the borders of Berkeley County as fixed by this Act. That said Board shall

Notice to electors.

Election as to site.

Managers.

appoint three managers for each voting precinct now established by law in said County, who shall be sworn, by some officer authorized to administer oaths, to fairly and impartially conduct and make returns of said election. The election shall be held from 8 o'clock A. M., until 4 o'clock P. M. of the day appointed by said Board, at each established voting precinct in said County. The managers shall keep poll lists, which, with the ballots, they shall seal up in the box after publicly counting the ballots and tabulating the result, and shall as soon as possible after the closing of the polls transmit the box with their returns thereof to the said Board at some central point or point most accessible in said County selected by said Board. All voters in favor of the site so selected by the Board shall cast a ballot of white paper on which shall be written or printed the name of the site or place so selected and the word "Yes," and all voters opposed to said selection shall cast a ballot of white paper on which shall be printed or written the name of the site or place so selected and the word "No." If a majority of the ballots cast be in favor of said selection, then the said Board shall notify the Governor and report the result of said election and selection, and the Governor shall then, by proclamation, announce the result thereof, and the place so selected shall be the County seat of the County of Berkeley; but if a majority are found to be opposed to such site so selected, the said Board shall at once publish in a County paper notice of the rejection of the site in question, by one publication, and shall proceed to make another selection and to order another election with the same or other managers, at their discretion, on a similar notice, to be similarly conducted, and to declare the result in the same manner, and to continue to make selections and to order and hold elections and to declare results until a site be finally selected and approved by a majority of the qualified voters according to this Section. That the time and place of the first meeting of said Board shall be fixed by the Governor in the notice of their appointment, and they then shall organize and appoint their own times and places to meet. They shall each receive three dollars per day for each day necessarily engaged in the duties imposed and five cents per mile each way for all necessary travel in performing their duties, to be paid by warrant of the County Commissioners based on the verified statement of said Board on the County Treasurer, to be paid out of any moneys for County purposes. The managers of election shall serve free of charge. A majority of the Board shall con-

Hours.

Places.

Conduct of election.

Returns.

Ballots.

Governor to be notified, if approved, who shall proclaim result.

Successive elections.

Meetings of Board.

Compensation.

Quorum of Board.

A. D. 1893.

stitute a quorum for the transaction of business, and each member, including the chairman, shall have a vote on every question. That each notice of election shall be by publication thereof in a County paper at least once a week for three successive weeks: *Provided*, that no site or place shall be selected or eligible as a County seat for Berkeley County which is within ten miles of the County boundary line, and the place selected and elected must be more than ten miles from the County boundary.

Notice of election.

Ineligible sites.

Section 5 amended.

SEC. 3. That Section 5 of said Act be amended so as to read as follows:

Representatives in Legislature.

SECTION 5. That until the next apportionment of Representatives, the County of Berkeley shall be entitled to four Representatives and the County of Charleston to nine Representatives.

Section 6 amended.

SEC. 4. That Section 6 of said Act be amended so as to read as follows:

General election of 1894.

SECTION 6. That at the next general election an election shall be held in the said Counties of Charleston and Berkeley for the members of the General Assembly and for the regular County officers provided by the Constitution, and that the voting precincts established by law for that portion of the County of Berkeley herein changed to County of Charleston shall be the voting precincts of that part of the County of Charleston.

Voting precincts.

Section 12 amended.

SEC. 5. That Section 12 of said Act be stricken out and the following substituted as Section 12:

Removal of records to new County seat.

SECTION 12. That as soon as a site for the County seat of Berkeley shall have been duly selected, elected and proclaimed under the provisions of previous Sections in this Act, and a temporary or permanent house be ready to receive them, all the records, books and office furniture and appurtenances of Berkeley County, now situate at the Court House and former County seat of Berkeley County at Mount Pleasant, shall be transferred to the County seat of Berkeley County so established under this Act, except that records of suits pending in which all the defendants reside in that portion of Berkeley County which has been changed to Charleston County by this Act, and all indictments with their incidents pending, charging an offense committed in that portion of territory so changed, shall be transferred to the County seat of Charleston County, to the proper officers: *Provided*, That all the present County officers and the present Senator and the present members of the House of Representatives of Berkeley County shall hold their offices and discharge the duties thereof, and receive the emoluments and be subject to the penalties as

Exceptions.

Proviso as to present officers.

A. D. 1893.

prescribed by law until the next general election; but such as are required to hold office at the Court House shall move their offices, records and furniture to the new County seat of Berkeley as soon as the same shall be ready to receive them. And until then the offices shall be held and the Courts for said County of Berkeley held at Mount Pleasant as heretofore.

Removal of offices.

SEC. 6. That Section 13 of said Act be amended so as to read as follows:

Section 13 amended.

SECTION 13. The Governor is hereby authorized to appoint a Commission of four persons, two of whom shall be resident in the County of Charleston and two resident in the County of Berkeley, as now established; such said Commission shall divide and apportion between the two Counties the present *bona fide* debt of Berkeley County, regard being had to the public property of said County and the proper interests of the two Counties therein; and in case the said Commission should be equally divided upon any question or questions arising in their deliberations, the same shall be submitted to and decided by an umpire to be selected by them, or a majority of them, for that purpose; said Commission shall have authority to sell the court house and any other County property at that point and to divide the proceeds between the two Counties on a just basis, titles to real estate to be executed by the proper County officers of Berkeley County.

Commission to apportion indebtedness.

Umpire.

Sale of Berkeley County property.

SEC. 7. That Section 14 of said Act be, and the same is hereby, stricken out and the following substituted as Section 14:

Section 14 amended.

SECTION 14. That the Board of seven persons hereinbefore provided for shall have the authority to receive and consider proposals by persons, corporations or committees of pecuniary inducements to the County of Berkeley to have the County seat located at any particular point, and to formulate and enter into a proper contract or contracts binding on the proposers conditionally upon the final selection and election of the site thus sought to be adopted; and in case valuable inducements be offered and formulated, it shall be the duty of said Board to publish a fair statement of the inducements so that the voters may properly consider the same.

Pecuniary offers for location of County seat.

Contracts.

Publication.

SEC. 8. That this Act shall be so construed as to take effect immediately upon its passage only for the purposes preliminary and precedent to the final change of boundary lines and of the County seat, such as the appointment of Commissioners, holding elections, declaring the result and fixing the location of the

When to take partial effect.

A. D. 1893.

County seat and preparing offices; but shall not be so construed as to oust any Court, whether inferior or superior, or any officer, of jurisdiction, by reason of such Court being holden or such officers residing within the territory proposed by this Act to finally constitute a part of Charleston County; that it shall go into complete effect as soon as the records and offices shall have been removed to the new site.

Jurisdiction not ousted.

When to take full effect.

Approved December 20th, A. D. 1893.

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No. 389. AN ACT RELATING TO THE FEES AND DUTIES OF THE COUNTY OFFICERS OF BERKELEY COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the County officers of Berkeley County shall receive, in lieu of all costs, commissions, charges and fees, annual salaries as follows, to wit: Clerk of the Court of Common Pleas and General Sessions, besides the fees now allowed him by law as Register of Mesne Conveyances, five hundred dollars and fees and costs coming to him from civil business; Sheriff, fifteen hundred dollars, besides five cents per mile for every mile actually and necessarily traveled by him or his deputy in the collection of tax executions where the same is collected from the defaulting taxpayers and the fees and costs coming to him from civil business; Auditor, five hundred dollars, including all allowances for clerical help; Treasurer, eighteen hundred dollars, including all allowances for clerks and deputies; Judge of Probate, five hundred dollars; Coroner, one hundred and fifty dollars; Deputy Coroners and Trial Justices acting as Deputy Coroners, five dollars for each inquest; Probate Judge, five hundred dollars; School Commissioner, four hundred dollars; County Commissioners, two hundred dollars each, except the Chairman of the Board of County Commissioners, who shall receive three hundred dollars besides the mileage now allowed by law; Clerk of County Commissioners, three hundred dollars.

Salaries in lieu of fees and costs

Clerk of Court.

Sheriff.

Auditor.

Treasurer.

Probate Judge and Coroners.

School and County Commissioners.

SEC. 2. That from and after the 1st day of January, A. D. 1894, all costs, fees, commissions and charges collected by any of

Fees to be paid into County treasury.

A. D. 1893.

said officers shall be paid into the County treasury, except as hereinbefore provided; and it shall be the duty, from and after said date, of every officer whose salary is fixed by this Act to make a report in duplicate to the County Treasurer and County Auditor on or before the first day of each calendar month unless the same shall fall on Sunday, when it shall be made on the second day, of all costs, fees, commissions and charges collected by him or his deputy during the calendar month next preceding said day. Such report shall be duly verified by the officer making the same before any person authorized to administer oaths, such verification to be in the following form, to wit: Personally appeared ———— (Sheriff, Clerk of Court, Auditor, Treasurer, Probate Judge, or Coroner, as the case may be,) of Berkeley County, who, being duly sworn, deposes and says that the foregoing is a true statement and report of all costs, fees, commissions and charges collected by him or in his behalf during the calendar month last past.

Duplicate report.

Verification.

Penalty prescribed against officers.

SEC. 3. Any of said officers who shall fail and neglect to use due diligence in the collection of all fees, costs, charges and commissions now required and prescribed by law, or who shall fail and neglect to file the duplicate report required by this Act on the day herein named, or to turn over to the County Treasurer all costs, fees, charges and commissions collected by him or them, or in his or their behalf, on or before the tenth day of each calendar month, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars or imprisonment for a period of not less than six months: *Provided*, That nothing herein contained shall be construed to authorize and require the said officers, or any of them, to collect any fees in advance from persons who are unable to pay the same: *Provided, further*, That the costs, fees, charges and commissions so turned over to the Treasurer shall be applicable to the payment of the salaries of said officers in sums not to exceed the amounts the said officers would respectively be entitled to each month, and the said Treasurer is hereby authorized and required, whenever he has sufficient funds in his hands for such purpose, to pay each of said officers the amount due for each month, upon the warrant or order of the County Commissioners for the same.

Punishment.

Fees in advance.

Application of fees.

Payment to officers.

Clerk of Court of Berkeley to make copies of records.

SEC. 4. That the Clerk of Court of Berkeley County be, and he is hereby, directed to make, or cause to be made, copies of all conveyances, mortgages and liens of every kind and description

A. D. 1893. now of record in his office affecting or pertaining to such territory as has been transferred from Berkeley County to Charleston County by an Act entitled "An Act to amend an Act entitled 'An Act to establish a new judicial and election district from a portion of Charleston County to be known as the County of Berkeley, to ascertain and define the boundaries of said County and to provide for and fix the salaries of the County officers thereof,' so as to change the boundary lines between Charleston and Berkeley Counties and to provide for relocating the County seat of Berkeley County, and to provide for changes incident thereto."

Ante 561.

Copies to be made in books and filed in Charleston.

SEC. 5. That such copies shall be made in substantial books to be procured for said purpose and shall be filed with the Register of Mesne Conveyances for Charleston County on or before the first day of July, 1894.

Payment of expenses.

SEC. 6. That the cost of books and stationery, as well as the expense of making the copies herein required, and all other expenses incident to the same, shall be paid by the said Counties of Berkeley and Charleston, respectively, in proportion to the value of taxable property in each County as now constituted:

Compensation. *Provided*, The fees to be paid for such work shall be at the same rate now allowed by law for recording and certifying papers.

Approved January 4th, A. D. 1894.

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No. 390. AN ACT TO PROVIDE FOR THE TRANSCRIPTING CERTAIN RECORDS FROM BERKELEY COUNTY TO CHARLESTON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Clerk of Court of Berkeley to make copies of records.

the Clerk of the Court of Berkeley County be, and he is hereby, directed to make or cause to be made copies of all conveyances, mortgages and liens of every kind and description, now on record in his office, affecting or pertaining to such territory as has been transferred from Berkeley County to Charleston County by an

Ante 561.

Act entitled "An Act to amend an Act entitled 'An Act to establish a new judicial and election district from a portion of Charleston County, to be known as the County of Berkeley, to ascer-

tain and define the boundaries of said Counties, and to provide for and fix the salaries of the County officers thereof,' so as to change the boundary lines between Charleston and Berkeley Counties, and to provide for relocating the County seat of Berkeley County, and to provide for changes incident thereto.'" *Provided*, That the Clerk of the Court of Berkeley County shall receive for making and certifying such copies the same compensation, and no more, as he would be entitled to under the present law for recording deeds, conveyances, mortgages, liens and other papers of similar character. A. D. 1893. Compensation.

SEC. 2. That such copies shall be made in substantial books to be procured for said purpose, and shall be filed with the Register of Mesne Conveyances for Charleston County on or before the first day of July, 1894. Copies to be made in books and filed in Charleston.

SEC. 3. That the cost of books and stationery, as well as the expenses of making the copies herein required, and all other expenses incident to the same, shall be paid by the said Counties of Berkeley and Charleston, respectively, in proportion to the value of taxable property in each County as now constituted. Payment of expenses.

Approved January 4th, A. D. 1894.

NOTE.—For Act relating to terrapin in Berkeley and Charleston Counties. See ante Act No. 381, p. 553.

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AN ACT RELATING TO THE FILING AND RECORDING OF PAPERS IN THE OFFICE OF THE REGISTER OF MESNE CONVEYANCES FOR THE COUNTY OF CHARLESTON. No. 391.

*Whereas* Charles Kerrison, Jr., Register of Mesne Conveyances for Charleston County, departed this life on or about the 15th day of November, 1893; *and* Preamble.

*Whereas* J. Alford Cay was the Deputy of the said Register of Mesne Conveyances, and kept open the office after the death of the said Register, and received for record and filed in said office whatever papers were presented for filing or recording, noting on said papers the date on which the same were left in said office; now, therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all

A. D. 1893.

deeds, mortgages, mechanics' liens and other papers, of whatsoever kind, character or description, left in the office of the Register of Mesne Conveyances for Charleston County for filing or recording, or both, between the 15th day November, 1893, and the date of the qualification of Julius E. Cogswell as successor to the said Register shall have the same force and effect as to the lodging for record, recording or filing thereof as if there had been no vacancy in the office of the said Register at the dates of such lodging, recording and filing, and the Register of Mesne Conveyances for said County shall indicate on said deed, mortgages, mechanics' liens and other papers, respectively, and on the index and on the record of each of such papers, mortgages, mechanics' liens and other deeds, respectively, the date on which the same were actually left in said office as shown by the endorsement or memorandum thereof thereon.

Filing and record during a vacancy validated.

Register of Mesne Conveyances to so indicate.

Approved January 4th, 1894.

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No. 392. AN ACT RELATING TO THE PILOTAGE AT THE PORT OF CHARLESTON.

Preamble.

*Whereas* the rates of pilotage for the port and harbor of Charleston are now fixed by law only for vessels drawing eighteen feet and under, for the reason that the depth of water at the entrance of said harbor has not heretofore been sufficient to permit vessels of greater draft to enter; *and whereas,* owing to the improvement in the channel caused by the jetties recently constructed, vessels of greater draft can and do now use the same, and it is necessary that provisions should be made by law for the rate of pilotage; therefore,

Pilotage charges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the pilotage for the said port and harbor of Charleston for vessels drawing over eighteen feet be, and the same is hereby, fixed at the rate at present allowed by law for eighteen feet, and in addition thereto the further sum of ten dollars for each and every additional six inches of water, or under, which said vessel may draw.

Approved December 20th, A. D. 1893.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A SPECIAL CONSTABLE FOR THE VICINITY OF LAMBS, AND TO DEFINE HIS POWERS AND DUTIES. A. D. 1893. No. 393.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the better preservation of peace and the more prompt and speedy arrest of criminals in the vicinity of Lambs, the Governor be, and he is hereby, authorized to appoint a Special Constable, who shall have power and authority to arrest, without warrant, any one charged with committing a felony, breach of the peace or violation of law within a radius of ten miles from Lambs. Governor to appoint a special Constable. Powers.

SEC. 2. The said Special Constable shall also have power and authority to pursue and arrest without warrant in another County any fugitive charged with the commission of such offense in said territory. Powers in other Counties.

SEC. 3. It shall be the duty of said Special Constable, and he is hereby required, to take forthwith any person so arrested to the proper Trial Justice to be dealt with according to law. Prisoner to be taken before Trial Justice.

SEC. 4. The said Special Constable shall receive as compensation the sum of three hundred dollars, which shall be paid by the County of Charleston in the same manner as ordinary County expenses. Compensation.

Approved December 22d, A. D. 1893.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE AMERICAN LAND IMPROVEMENT AND MANUFACTURING COMPANY," APPROVED DECEMBER 24TH, 1891. No. 394.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by authority of the same, That an Act entitled "An Act to incorporate the American Land Improvement and Manufacturing Company," approved December 24th, 1891, be, and the same is hereby, amended by adding thereto a Section to be known as Section 10: A. A. 1891, 29 Stat., 1272, amended.

SECTION 10. That the time allowed for the organization and commencement of the transaction of business of this company be extended for a period of two years from the first day of January, 1894. Time for commencing.

Approved December 18th, 1893.

A. D. 1893. No. 395.

## AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE ATLANTIC FIRE AND MARINE INSURANCE COMPANY," APPROVED DECEMBER 16TH, A. D. 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Atlantic Fire and Marine Insurance Company," approved December 16th, A. D. 1891, be, and the same is hereby, amended by adding thereto a Section, to be known as Section 12:

A. A. 1891, 20 Stat., 1277, amended.

Time for commencing.

SECTION 12. That the time allowed for the organization and commencement of the transaction of business of this company be extended for a period of two years from the passage of this Act.

Approved December 18th, A. D. 1893.

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## No. 396. AN ACT TO AMEND AND RENEW THE CHARTER OF "CAROLINA SAVINGS BANK."

SECTION 1. *Be it enacted* by the Senate and House of Repretatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Acts following, to wit: First. An Act entitled "An Act to incorporate 'The Carolina Savings Bank, of Charleston,'" approved 16th March, 1874; Second. An Act entitled "An Act to amend an Act entitled 'An Act to incorporate the Carolina Savings Bank, of Charleston,'" approved 9th March, 1875; And third. An Act entitled "An Act to amend the charter of 'The Carolina Savings Bank, of Charleston,'" approved 10th December, 1886, be so amended as to entitle it to sue and be sued, to plead and be impleaded, in any Court of law or equity in this State and elsewhere.

Acts amended.

15 Stat., 677.

15 Stat., 875.

19 Stat., 470.

Powers of corporation.

Renewal of charter for 30 years.

SEC. 2. That the said charter, as now and heretofore amended, be, and the same is hereby, renewed, and shall continue in force for the term of thirty years from the expiration of the said Act of March 16th, 1874.

Public Act.

SEC. 3. That this Act shall be deemed a public Act.

Approved December 20th, A. D. 1893.

AN ACT TO AMEND, RENEW, EXTEND AND RATIFY THE CHARTER OF THE CHARLESTON CITY RAILWAY COMPANY OF SOUTH CAROLINA. A. D. 1893. No. 397.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Acts following, to wit: First, an Act entitled "An Act to incorporate the Charleston City Railway Company of South Carolina," approved 28th January, 1861; second, an Act entitled "An Act to renew the charter of the Charleston City Railway Company of South Carolina," approved 17th December, 1881; and third, an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the Charleston City Railway Company of South Carolina,' approved 28th January, 1861, and an Act entitled 'An Act to renew the charter of the Charleston City Railway Company of South Carolina,' approved 17th December, 1881," approved December 22d, 1888, be, and the same are hereby, amended, so that said company, in addition to the rights heretofore granted, shall have the right to construct and equip their line or lines, extension or extensions, of railway within or for a distance not exceeding six miles beyond the limits of the city of Charleston, so that the same can be operated by or with electric or other motive power, except steam.

Acts amended.

A. A. 1861, 12 Stat., 926.

A. A. 1881, 17 Stat., 583.

A. A. 1888, 20 Stat., 131.

Amendments.

Extensions of road.

Motive power.

SEC. 2. That the company shall have the right to secure the issue of any bonds, notes, or other evidence of debt, not exceeding one million dollars, by mortgage, deed of trust, or other instrument creating a lien upon any or all of its property, rights and franchises: *Provided*, That existing mortgages or liens shall be in no way invalidated or affected by this right; and any existing mortgage or deed of trust on the property, rights and franchises now owned or hereafter to be acquired by said company is expressly ratified and confirmed.

Bonds and mortgages.

Existing liens preserved.

SEC. 3. That said company shall have the right to take for its right of way not more than twenty feet on each side of the centre of its road bed beyond the limits of the city of Charleston: *Provided*, The same be condemned by it according to existing laws for condemnation by railroads, and just compensation be paid by it therefor.

Right of way.

Condemnation.

SEC. 4. That the charter and franchises of the company shall be, and are hereby, renewed and extended for the term of thirty years from the date of the approval of this Act.

SEC. 5. That this Act shall be deemed a public Act.

Public Act.

Approved January 4th, A. D. 1894.

A. D. 1893.

No. 398.

## AN ACT TO CHARTER THE CHARLESTON IMPROVEMENT COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. J. Fred Lilienthal, John D. Cápplemann, J. C. Blohme, A. Bequest and Alex. S. Kulinski, and all and every person or persons hereafter becoming members of the Charleston Improvement Company, of Charleston County, their successors and

Incorporation and name. assigns, be, and the same are hereby, declared a body politic and corporate under the name and style of the "Charleston Improve-

Succession, rights and powers. ment Company," and by that title shall have perpetual succession, and be capable in law of purchasing, leasing, using, holding, letting, improving and disposing of such real and personal property as may be necessary for the objects of this corporation; and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all Courts of law and equity; and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts, agreements and bargains whatsoever necessary for the said purposes; and may have and use a

Seal. common seal, which they shall have power to renew or alter at

By-laws. pleasure; to make such by-laws for the government of said corporation as are consistent with this Act and the laws and Consti-

General provision. tution of this State and the United States, and generally may do every act or thing necessary to carry into effect the provisions of this Act and promote the objects and designs of said company, as authorized by this Act.

Capital stock. SEC. 2. The capital stock of said company shall be one hundred thousand dollars, with the privilege of increasing the same to two million dollars, to be divided into shares of one hundred dollars each, and shall be raised in the following manner: The following named persons are hereby appointed commissioners to

Books of subscription. receive subscriptions to the capital stock, to wit: J. Fred Lilienthal, John D. Cappelmann, J. C. Blohme, A. Bequest and Alex. Kulinski. The said commissioners, or a majority of them, shall open books at such places and times as they shall appoint, and

Members of corporation. receive subscriptions to the said stock, and every person who shall become a holder or entitled to one or more shares of said stock shall thereupon become a member of the "Charleston Improvement Company" hereby incorporated; and every person on being divested of all shares of said stock by transfer or otherwise shall

thereupon cease to be a member of the said company: *Provided,* That the Board of Directors shall have power in like manner and at such times as they shall see fit (by and with the consent of the majority of the stockholders, in ratio of shares,) to increase the said capital to the sum of two million dollars. The said capital stock to be paid in quarterly installments of twenty-five dollars for each share. All subscriptions to the capital stock of said company shall be payable in current funds, labor or property, on such terms as the Board of Directors may prescribe: *Provided, further,* That the Board of Directors shall have power in like manner and at such times as they shall see fit (by and with the consent of the majority of stockholders, in ratio of their shares,) to issue common stock of the par value of one hundred dollars each to any amount not exceeding two million dollars, which shall be paid for in current funds, labor or property, real or personal, in such manner as the by-laws may provide for; and they are also empowered and privileged (by and with the consent of the majority of the stockholders, in ratio of shares,) to issue preferred stock, at a rate not exceeding seven per cent. per annum, to the value of any property, real or personal, that the said company may purchase or hold; said stock to be preferred both as to principal and interest, but the said preferred stock not to have the right to any voting power.

A. D. 1893.

Increase of capital stock.

Payment of subscriptions.

Common stock.

Preferred stock.

Sec. 3. That each stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding —— per cent. of the par value of the share or shares held by such stockholders at the time the demand of the creditors was created: *Provided,* That such demand shall be payable within one year, and that proceedings to hold such stockholders liable therefor shall be commenced within two years after the debt becomes due, and while he, she or it remains a stockholder therein, or within two years after he, she or it shall have ceased to be a stockholder: *And provided, further,* That persons holding stock in said company as trustees or executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as stockholders, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate or the ward or person interested in said trust estate would have

Liability of stockholders.

Proviso.

Trustees, &c.

A. D. 1893.

been if they had, respectively, been living and competent to act and hold the stock in their own names.

Meeting for organization.

SEC. 4. That when two hundred shares of said stock shall be subscribed, the before named commissioners, or a majority of them, shall, on such notice as they may consider sufficient, call a meeting of such subscribers, and at such meeting and all future meetings of the stockholders the shares of the capital stock may be represented in person or by proxy. The subscribers to said stock, at their meeting to be held as aforesaid, shall elect from themselves such a number of Directors of said company as they may deem proper, who shall continue in office for one year and until their successors shall be duly elected; and thereafter there shall be annual meetings of the stockholders of said company at which Directors shall be chosen, whose terms of office shall be as above provided. The election of the Board of Directors shall be conducted in accordance with the by-laws or regulations hereafter to be made by a majority of the stockholders, and the Board of Directors during their term of service shall have the sole management and direction of the stocks, property, affairs and concerns of said company; they shall from among themselves elect a President, to act as such during the term of office of such Directors, who shall perform such duties and exercise such powers as may be prescribed by the by-laws of said company or as shall be incident to said office.

Directors.

Term of office.

Conduct of election.

Duties of Directors.

President.

Provisions as to capital stock.

SEC. 5. That the capital stock of said company shall be deemed personal property and transferable only on the books of the company in such manner as the by-laws or articles of association shall direct; and any of the owners of the lands or personal property herein authorized to be purchased by the said company may take stock to the amount of the whole or any part of his, her or their interest therein.

Improvement of lands.

SEC. 6. That the said company be, and it is hereby, empowered to improve all such lands as it owns or may hereafter purchase, by laying out the same in lots, streets, squares, lanes, alleys and other divisions, by leveling, raising and grading the same, or making thereon all such tramways or street railways, and operate the same by steam or other motive, and they shall have power to lease, own and control rights of way for that purpose, or erecting all such wharves, workshops, factories, warehouses, stores, dwellings and such other buildings and improvements as may be found or deemed necessary, ornamental or convenient, and constructing on the lands of said company aqueducts and reservoirs for con-

Street railways.

Structures.

veying, collecting and providing pure and wholesome water, and renting, letting and leasing, mortgaging, selling or changing the same, or using any lot or other portion of any of the said lands for depots and for agricultural, mining or manufacturing purposes; and it may also purchase and build steamboats, steamers and other vessels; and the said company is further empowered to build, construct and operate any railroad or railroads over, to and from any property that it may own or control, not exceeding twenty miles in length, and to connect with any public road, body or bodies of water, river, stream, creek or railroad, and to cross the same, and shall have the right to build a bridge or bridges across any navigable streams: *Provided*, That said bridge or bridges are constructed with suitable draws; and said company shall have the right to take for its right of way fifty feet on each side of the centre of its road bed: *Provided*, The same be condemned by it according to existing laws; and the said company is further empowered, by and with the consent of the Council of any towns or cities through which it may pass, or at which its roads may terminate, to construct its tracks through one or more of the public streets or ways of such towns or cities, and to extend the same to any or all the wharves or landings in such towns or cities: *Provided*, That in such construction and extension all necessary precaution in extending the work be taken not to obstruct or otherwise impair the use of any street or public way through which the said road may be constructed or extended; and the said company shall have the right at any time it may see fit in the conduct of its business to sell, lease or dispose of any part or parts of its property or rights; and said company shall also have the right to charge such wharfage as it may see fit upon any wharf or wharves erected, owned or leased by it or upon any part thereof.

Vessels.

Railroads.

Bridges.

Right of way.

Road through streets.

Proviso.

Sales and leases

Wharfage.

SEC. 7. That said company shall be at liberty to subscribe for and take stock in any company that now is or hereafter may be incorporated by the Legislature, or under the laws of this State, and any such company or incorporation may subscribe for and take stock in the said company hereby incorporated on such terms as the Directors or managing officers may deem proper; and said company is hereby empowered and authorized to issue bonds secured by lien on the property of the said corporation, to an amount not exceeding the value of the property owned by said corporation, with interest on said bonds, payable semi-annually: *Provided*, That before any such bonds are issued their

Stock in other corporations.

Stock by other corporations.

Bonds.

Limit.

Proviso.

A. D. 1893.

issue shall be approved of and sanctioned by at least two-thirds in amount of the stock of the said company: *Provided, further,*

Mortgage. That the said bonds shall be secured by a mortgage or a trust deed of all or any of its property, real and personal, executed by said company to a trustee or trustees, and that whenever any portion of the property so mortgaged shall be sold by said company, such trus-

Release of mortgage. tee or trustees shall have the power and authority, upon the payment to him or them of the net proceeds of sale, to release the lien of the said mortgage or trust deed upon the property so sold: *Pro-*

Application of proceeds. *vided,* That the proceeds of any and all such sales shall be applied by the said trustee or trustees to the payment or purchase of outstanding bonds of said company in such manner and amounts and at such times as the mortgage or trust deed may provide.

Offices. SEC. 8. That the principal office of the said company shall be located in Charleston County, but said company may, for its own convenience, establish offices in any of the cities of the State.

Director must be stockholder. SEC. 9. No person shall be a Director in the said company unless he be a *bona fide* stockholder therein.

Rights as to members. SEC. 10. The said corporation shall have full power to enforce upon its members the due observance of all rules and by-laws for the good government and management of the affairs of the said company, and to this end, if need be, shall and may institute and maintain, in its corporate name, against any one or more of

Actions. its members, all necessary suits, actions and pleas for the recovery of any sum or sums of money to the use of the said corporation in as ample a manner as such suits might be maintained against persons not members of said company.

Enforcement of subscriptions. SEC. 11. That the said company shall have authority in its by-laws, or by the Board of Directors, to make all such regulations as may be deemed necessary and proper for collecting and enforcing by sale or otherwise all subscriptions made to its capital stock.

Public Act. SEC. 12. This Act shall be deemed a public Act, and shall

Duration. continue of force for fifty years, and until the final adjournment

When to take effect. of the General Assembly meeting next thereafter, and shall take effect immediately upon its approval.

Approved January 4th, A. D. 1894.

## AN ACT TO CONFIRM, AMEND AND EXTEND THE CHARTER OF THE GERMAN-AMERICAN TRUST AND SAVINGS BANK.

A. D. 1893.

No. 399.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the incorporation by and through the Secretary of State on the 13th day of February, 1893, of the German-American Trust and Savings Bank, under the provisions of an Act entitled "An Act to provide for the formation of certain corporations under general laws," approved December 23d, 1886, and of Acts amendatory thereof, and the organization of said bank under the said incorporation and the charter thereof, and all acts done thereunder, be, and the same is hereby, confirmed, and the said incorporation is and shall continue to be a body politic and corporate under the name and style of the German-American Trust and Savings Bank, and that the said charter of the said corporation be, and the same is hereby, amended or modified as hereinafter provided.

Incorporation, acts, &c., confirmed.

19 Stat., 540.

Incorporation continued.

Name.

Amended.

SEC. 2. The said corporation shall have, and is hereby vested with, all the powers, rights and privileges, and is hereby subject to all liabilities and restrictions, contained in the Act entitled "An Act to provide for and regulate the incorporation of banks in this State," approved December 24th, 1885, and of Acts or Acts amendatory thereto, except where the same provide that no more than an amount equal to one-half of the capital stock of said bank and one-half of their deposits shall be invested in mortgages of real estate at any one time, and except in so far as the said Act or any part thereof or amendments thereto is inconsistent with the provisions of this Act or any part thereof.

Rights and restrictions.

19 Stat., 212.

Exception.

SEC. 3. That in addition to the powers now conferred by law upon said corporation, and in addition thereto, the said corporation shall have the power to carry on and transact a general banking, savings and trust and other like business, and in the conduct of the same to receive money on deposit and allow interest thereon, and to invest such deposits, their capital stock or any part or portions thereof and other funds in such securities as may be deemed by the management of said corporation safe and desirable, including bank or other stocks, bonds, notes, bills, choses in action, and bonds and stocks of this or any other State or of the United States; to lend money on real or personal security of all or any kind, and to invest so much of their capital stock or other funds in mortgages of real estate or in bonds

Banking and other powers.

Deposits and investments.

Loans.

Mortgages.

A. D. 1893.

or notes secured thereby, at any one time, as may be deemed by the management of said corporation safe and desirable; to buy and sell on commission bonds, stocks, real estate, manufactories, mines, timber and mineral lands and all kinds of real and personal property; to negotiate loans on commission; to receive deposits of trust moneys, securities and other personal property from any person or corporation, and to erect and maintain safety deposit vaults or boxes for the same; to act as trustee under any mortgage, deed of trust, bond or order instrument in writing issued by any municipality, or body politic or corporate, or individual, firm or agency, and to accept deed execute any other municipal or corporate trust not inconsistent with the laws of this State or of the United States; to act as the fiscal or transfer agent of any State or Government, municipality, body politic or corporate, or individual, firm or agency, and in such capacity to receive and disburse money, and to transfer, register and countersign certificates of stock, bonds or other evidences of indebtedness; to accept trusts from and execute trusts for or on behalf of married women in respect to their separate property, whether real or personal, and to be their agent or trustee in the management of such property or to transact any business in relation thereto consistent with law; to act under the appointment of any Court of record as guardian or trustee of the estate of any minor or other person under disability of any kind and the depository of any moneys paid into Court, whether for the benefit of any such minor or any other person, corporation or party; to be appointed and accept the appointment of executor or trustee under the last will and testament of any person or persons whomsoever, or administrator with or without the will annexed of the estate of any deceased person; and to be appointed and to act as the committee or trustee of the estate of lunatics, idiots, persons of unsound minds and habitual drunkards; to take, accept and execute any and all of such legal trusts, duties and powers in regard to the holding, management and disposition of any estate or property, real or personal, and the rents and profits thereof or the sale thereof as may be granted or confided to it by any Court of record in this or any other State, or by any person, corporation, municipality or other authority; to take, accept and execute any and all such trusts and powers, of whatever nature or description, as may be conferred upon or entrusted or committed to said corporation by any person or persons, or any body politic, corporation or other authority, by grant, as-

Brokerage business.

Trust funds.

Deposit vaults.

Act as Trustee.

Fiscal agents.

Trusts for married women

Guardian and trustee.

Executor or administrator.

Committee.

Accept and execute trusts by order of Court.

Or by any person.

signment, transfer, devise, bequest or otherwise, or which may be entrusted, committed or transferred to or vested in said corporation by order of any Court of record, and to receive, take and hold any property or estate, real or personal, which may be the subject of such trust, and generally to do and perform all acts connected with its said business.

Bonds as security.

SEC. 4. That in all cases where any bond may be required of the said corporation in the exercises of any of the powers or franchises conferred upon it by this Act, it shall be lawful, in the discretion of the Court before whom such matter shall be pending, or of any Judge thereof, to allow such bond to be given with or without security, which bond shall be executed by said corporation in such manner as may be stipulated by its Board of Directors: *Provided*, That at any time thereafter during the continuance of such bond, any party in interest on sufficient cause shown may move such Court to modify such order, and require sureties on the bond of said corporation.

Subsequent requirements.

Who may be Director.

SEC. 5. No person shall be a Director of said corporation unless he be a *bona fide* stockholder therein.

Vote of stockholders.

SEC. 6. Each stockholder shall have one vote for each share of the capital stock of said corporation he or she may own or represent at all elections and all meetings of the said corporation, and the Board of Directors of said corporation are authorized to make such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at any meetings or elections.

Proxies.

Capital stock.

SEC. 7. The capital stock of said corporation shall be deemed personal property; another said corporation shall have authority in its by-laws or by the Board of Directors to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock or for the collection or enforcing by sale or otherwise of all subscriptions made thereto.

Issue and transfer.

Enforcement of by-laws.

SEC. 8. Said corporation shall have power to enforce upon its members the due observance of all its rules and by-laws for the government and management of the affairs of the corporation, and to this end, if need be, shall and may institute and maintain in its corporate name against any one or more of its members all necessary suits, actions and pleas for the recovery of any sum or sums of money to the use of said corporation in as ample manner as such suits might be maintained against persons not members of said corporation.

Actions.

Increase of capital stock.

SEC. 9. That the said corporation shall have power to increase its capital stock, now fixed at forty thousand dollars (40,000), in the

A. D. 1893.

manner and to the amount limited in Section 9 of an Act entitled "An Act to provide for the formation of certain corporations under general laws," aforesaid, approved December 23rd, 1886; and the notice to be published in accordance with said Section shall be published but once a week for four successive weeks previous to the meeting therein provided for.

19 Stat., 542.

Notice.

Liability of stockholders.

SEC. 10. The stockholders of said bank shall be liable to the amount of their respective share or shares in the same for all its debts and liabilities upon note, bill or otherwise, and no Director or other officer of said corporation shall borrow any money from said corporation. If any Director or other officer shall be convicted on indictment of directly or indirectly violating this Section, he shall be punished by fine or imprisonment, at the discretion of the Court.

Officers forbidden to borrow.

Penalty.

Public Act.

Duration.

SEC. 11. This Act shall be deemed a public Act, and shall continue of force for fifty years and until the final adjournment of the General Assembly next after the expiration of said term.

Approved December 22d, A. D. 1893.

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No. 400. AN ACT TO AMEND THE CHARTER OF MAGNOLIA CEMETERY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of Magnolia Cemetery, originally incorporated as the Magnolia Cemetery Company by Act Number 4005 of the Legislature on the 20th December, 1850, (12th Statutes at Large, pp. 14 and 15,) and revived and amended by the Act Number 320, approved 14th February, 1878, (16 Statutes at Large, p. 340,) under the name of the Magnolia Cemetery, be amended by striking out the words "that the members of said corporation shall be jointly and severally liable for all debts and contracts made by said corporation during the period of their membership," and substituting the following words: "That each stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by such stockholder at the time the demand of the creditor was created: *Provided*, That such demand shall be payable within one year, and that proceedings

Charter of Magnolia Cemetery Company.

Amended.

Liability of stockholders.

Provisoes.

to hold such stockholder liable shall be commenced within two years after the debt becomes due, and while he or she or it remains a stockholder therein, or within two years after he, she or it shall have ceased to be a stockholder: *And provided, further*, That persons holding stock in said Magnolia Cemetery as trustees or executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as stockholders, and the estates and funds in the hands of such trustees, executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate or the ward or person interested in said trust estate would have been if they had respectively been living and competent to act and hold the stock in their own names." That the charter so amended be revived and continued for the period of fifty years, and this Act be deemed a public Act.

A. D. 1893.

Trustees, &c.

Renewal of charter.

Public Act.

Approved December 20th, A. D. 1893.

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AN ACT TO INCORPORATE THE MERCHANTS MUTUAL FIRE INSURANCE COMPANY OF CHARLESTON, SOUTH CAROLINA. No. 401.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Lee Leob, P. F. Murray, John H. Wellbrack, G. Charles Wellbrack and J. H. Bruming, Jr., together with such other persons firms or corporations as may hereafter, from time to time, by becoming members in the manner hereinafter prescribed, be associated with them, be, and they are hereby, declared a body politic and corporate, under the name and style of "The Merchants Mutual Fire Insurance Company of Charleston, South Carolina."

Corporators.

Incorporation and name.

SEC. 2. That every person, firm or corporation whose goods, wares, merchandise, buildings and other property is insured by or with the said company from destruction or damage by or from fire or the effects thereof shall, by virtue thereof, be a member of said company, and shall continue as such member thereof during the continuance of such insurance, in pursuance with the rules and regulations of said company, and shall be

Assured to be members.

A. D. 1803.

bound by all legal actings and doings of said company or the Directors thereof.

When to organize.

SEC. 3. That as soon as fifty persons, firms or corporations shall subscribe their names to an agreement to insure their goods, wares, merchandise, buildings or other property liable to destruction or damage by fire, or the effects thereof, aggregating in value not less than one hundred thousand dollars, by or with said company or organization, the said company shall go into operation; a copy of said agreement to be filed in the office of the Secretary of State: *Provided*, That a greater amount than twenty thousand dollars shall not be taken on any building and contents, or contents of any building, or on any one risk.

Limit of insurance.

Succession and powers.

SEC. 4. That the said company, under its name, shall have succession of officers and members, all the powers, privileges and franchises incident to a corporation; and shall be capable of holding and disposing of their capital stock, together with the increase, profits or emoluments thereof, according to such rules, regulations and institutions as the said corporation may from time to time direct; and shall have a common seal, and the same from time to time at their pleasure to break, alter and renew; and by its corporate name shall be able and capable at law or in equity to sue and be sued, implead and be impleaded, answer and be answered unto, in any or all the Courts or tribunals of this State, in any manner of suits, pleas and demands whatsoever; and they are hereby authorized and empowered to appoint a Board of Directors from among themselves, of not less than five nor more than nine members, to manage the business and affairs of the company at such periods, for such time and with such duties as they shall see fit; and also to make such rules, by-laws and ordinances, and do everything needful for the good government and support of the affairs of the said company, and for restoring their capital or reserve when diminished by losses or otherwise, not repugnant to the Constitution and laws of the United States or of this State.

Directors.

By-laws.

Officers.

SEC. 5. That the officers of said company shall be a President, Vice-President, and Secretary and Treasurer, and such others as may be deemed necessary to carry on the business of said company. All officers and employees of said company shall be elected by the Board of Directors and subject to their control.

Property rights.

SEC. 6. That the said company, by its corporate name, shall have the right and power to purchase, acquire, take and hold lands and real estate, bonds and stocks, and the same to grant, sell, lease, assign, transfer, exchange, sell, alien and convey in fee simple, or otherwise.

A. D. 1893.

Contracts and policies of fire insurance.

SEC. 7. That the said company shall by its corporate name, and by the signature of such person or persons and with such ceremonies of authenticity as they shall from time to time and by their rules and by-laws ordain and appoint, have a right to make contracts and underwrite policies of insurance, and indemnify against destruction, loss or damage by fire on all goods, wares, merchandise, buildings and other property liable to destruction, loss or damage by or from fire or the effects thereof, situate, lying or being in this State or elsewhere, and by such contracts to bind and pledge their members according to such rules and regulations as may be established and prescribed; to lend money on the security of real estate or personal property, or other good security, and generally to transact and perform all the business relating to the objects aforesaid, or which will advance and promote the interest of said company, according to the usage and custom of merchants.

Loans and other business.

Assessments to pay losses.

SEC. 8. That in case any destruction, loss or damage shall occur or happen by reason of fire, and the value thereof having been ascertained, it shall and may be lawful to and for the said Board of Directors, if they see fit so to do, to assess all the members according to the amount of their insurance, one month's notice of the amount of such assessment and the time of payment thereof being given. Should any member fail to pay any assessment within the time limited, the said company may recover from said defaulting member the amount of his, her or their assessments, with interest thereon from the date of such assessment, or to cancel the policy or policies of insurance held by such defaulting member, and, after deducting from all premiums paid in by said members the amount of such assessment, with the interest thereon, any and all assessments made due and payable while such person was a member of said company, and the amount carried to the reserve of said company, return the balance of such premiums to such defaulting: *Provided, however*, That no member shall be liable for more than one-tenth of the amount of his premium of insurance.

Notice.

Rights against defaulters.

Limit to liability.

Voting at elections.

SEC. 9. That in all elections by the members of said company each member shall be entitled to one vote, and to an additional vote for every five thousand dollars of insurance above the first five thousand dollars, and all elections to be by ballot.

Public Act.

Duration.

SEC. 10. That this Act shall be deemed a public Act and be of force from the date of approval for the period of twenty-one years.

Approved January 4th, A. D. 1894.

A. D. 1893.

No. 402. AN ACT TO AMEND THE CHARTER OF THE ROYAL FERTILIZER COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Increase of capital stock. the charter of The Royal Fertilizer Company be, and the same is hereby, amended by further conferring upon said company the power and authority, on the assent of its stockholders, of

Preferred shares. increasing its capital stock by the issue of fifteen hundred shares of preferred stock, each share to be of the par value of one hundred dollars, with such preferences over the common stock as to dividends and final distribution, and on such terms and conditions, as said company may determine.

Confirmation of charter. SEC. 2. That the charter of said company be, and the same is, in all other respects, including the right to further increase its capital by the issue of common stock as in the said charter now provided, hereby confirmed.

When to take effect. SEC. 3. That this Act take effect from and immediately after the date of its approval.

Approved December 18th, A. D. 1893.

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No. 403. AN ACT TO INCORPORATE THE SECURITY CONSTRUCTION COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. George B. Edwards, J. Adger Smyth, William S. Hastie, William M. Bird and R. G. Rhett, and such other persons as may be associated with them, and their successors and assigns, be, and

Incorporation and name. they are hereby, created a body politic and corporate by the name and style of the Security Construction Company, and by that

Powers. name may sue and be sued, plead and be impleaded, in any Court of law or equity in this State or in the United States; may make by-laws and appoint all necessary officers and prescribe

Property rights. their duties; may accept, purchase, hold, lease or otherwise acquire any property, real or personal, including stock of non-competing and unlike corporations, necessary, convenient, incidental to and for the purposes hereinafter mentioned, and to use,

A. D. 1898.

sell and convey and dispose of the same as the interest of the said company require; may make contracts, have and use a common seal, and do all other lawful acts properly incident to and connected with said corporation and necessary and convenient for the control and protection of its business. Other rights.

SEC. 2. That the said company is hereby authorized and empowered to construct and build railroads, bridges, wharves, elevators, warehouses and depots. Structures.

SEC. 3. That the capital stock of said company shall be one hundred thousand dollars, in shares of one hundred dollars each, with privilege of increasing such capital stock in such amount as the said company from time to time may, by a majority vote of its stockholders, determine to carry out the purposes of this Act: *Provided*, That the said capital stock shall at no time exceed the sum of five million dollars. Capital stock. Limit.

SEC. 4. That when the sum of five thousand dollars shall have been subscribed to the capital stock of said company, the said corporators, or a majority of them, shall, within a reasonable time thereafter, appoint a time and place for a meeting of said stockholders, of which fifteen days' notice shall be given in such newspaper of this State as they deem necessary, at which time and place the said stockholders may proceed to the organization of said company by the election of not less than three nor more than thirteen Directors, as the by-laws to be adopted may determine, which said Directors shall elect one of their number to be President of said company. The said Board of Directors and the said President so elected shall hold their offices for one year and until their successors be elected. First meeting of stockholders. Notice. Organization. Directors. President. Term.

SEC. 5. If any stockholder shall fail to pay the installment required of him on his share or shares by the President and Directors, or a majority of them, within one month after the call for the same has been made and advertised in one or more of the papers published in this State, it shall and may be lawful for the President and Directors, or a majority of them, to sell at public auction and convey to the purchasers the share or shares of such stockholders so failing or refusing to pay, giving twenty days' notice of the time and place of such sale; and after retaining the sums due and all expenses incident to the sale, shall pay the surplus to the former owner or his legal representative; and any purchaser of the stock of the company under the sale of the President and Directors as aforesaid shall be subject to the same rules and regulations as the original proprietor. Sale of shares of defaulting stockholders. Notice of sale. Disposition of proceeds. Liability of purchaser.

A. D. 1893.

SEC. 6. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditors was created: *Provided,* That such demand shall have been made payable in one year: *Provided, also,* That proceedings to hold such stockholders liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder.

Liability of stockholders.

Provisoes.

Public Act.

SEC. 7. That this Act shall be deemed and held a public Act.

Approved December 18th, A. D. 1893.

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No. 404. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE SECURITY SAVINGS BANK" OF CHARLESTON, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 5 of an Act entitled "An Act to incorporate the Security Savings Bank" of Charleston, South Carolina, approved the 24th day of December, A. D. 1887, be, and the same is, amended by adding thereto, on the 17th line thereof, after the words "in fee simple or otherwise," the following: "And shall also have the right and power to act as trustee under any mortgage, deed of trust, or bond, or other instrument in writing issued by any municipality or body corporate or individual, and to accept and execute any other municipal or corporate trust not inconsistent with the laws of this State or of the United States; to act under the appointment of any Court of record as guardian or trustee of the estate of any minor or other person under disability; to be appointed and accept the appointment of executor or trustee solely, or with others, under the last will and testament, or administrator with or without the will annexed of the estate of any deceased person; and to be appointed and to act as the committee or trustee of the estate of lunatics, idiots, persons of unsound minds and habitual drunkards; to take, accept and execute any and all such legal trusts, duties and powers in regard to the holding, management and disposition of any estate or property, real

A. A. 1887, 85, 19 Stat., 982, amended.

Amendment.

A. D. 1898.

or personal, and the rents and profits thereof, or the sale thereof, as may be granted or confided to it by any Court of record in this or any other State, or by any person or persons, corporations, municipality or other authority; to take, accept and execute any and all such trusts and powers, of whatever nature or description, as may be conferred upon or intrusted or committed to it by any person or persons, or any body politic, corporation, or other authority, by grant, assignment, transfer, devise, bequest or otherwise, or which may be intrusted or committed or transferred to or vested in it by any Court of record, and to receive and take and hold any property or estate, real or personal, which may be the subject of such trust." So that said Section when amended shall read as follows:

Deposits. Investments. Loans and their security. Property rights. Profits. Property rights. To act as trustee. Execute trusts. Guardian, executor, &c. Committee.

SECTION 5. That the said corporation shall also have power to receive money on deposit, to allow interest thereon, and to invest such deposits, their capital stock and other funds, in bank or other stocks, in bonds, notes, bills, choses in action and other securities, and in the bonds or stocks of any city in this or any other State of the United States, or the same to lend on real estate, secured by mortgage or otherwise, or on the pledge of gold and silver, bonds, notes, bills, stocks, choses in action, and securities of all and any kinds; and shall be capable of taking, holding and disposing of their capital stock, and all other property of every kind, according to such rules and regulations as they may from time to time establish; and, also, of taking, holding, dividing, disposing of or investing the increase, profits or emoluments of their capital stock or other property as aforesaid; and shall have the right and power to acquire, purchase, take and hold in their corporate name lands, real estate or personal property, and the same to grant, sell, mortgage, exchange and convey in fee simple or otherwise; and shall also have the right and power to act as trustee under any mortgage, deed of trust, or bond, or other instrument in writing issued by any municipality or body corporate or individual, and to accept and execute any other municipal or corporate trust not inconsistent with the laws of this State or of the United States; to act under the appointment of any Court of record as guardian or trustee of the estate of any minor or other person under disability; to be appointed and to accept the appointment of executor or trustee, solely or with others, under the last will and testament, or administrator with or without the will annexed of the estate of any deceased person, and to be appointed and to act as the com-

A. D. 1893.

mittee or trustee of the estate of lunatics, idiots, persons of unsound minds and habitual drunkards; to take, accept and execute any and all such legal trusts, duties and powers in regard to the holding, management and disposition of any estate or property, real or personal, and the rents and profits thereof, or the sale thereof, as may be granted or confided to it by any Court of record in this or any other State, or by any person or persons, corporation, municipality or other authority; to take, accept and execute any and all such trusts and powers, of whatever nature or description, as may be conferred upon or entrusted or committed to it by any person or persons, or any body politic, corporation, or other authority, by grant, assignment, transfer, devise, bequest or otherwise, or which may be entrusted or committed or transferred to or vested in it by any Court of record, and to receive and take and hold any property or estate, real or personal, which may be the subject of such trust. The business and property of the said corporation shall be managed and disposed of, and dividends of the profits of the business of the corporation shall be made and declared, in such manner as may be prescribed by the rules and by-laws of said corporation.

Trusts and duties by order of Court.

Or by other appointment.

Rules and by-laws.

Approved December 20th, A. D. 1893.

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No. 405. AN ACT TO INCORPORATE THE SOUTH CAROLINA COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That S. L. Simpson, George Sellers, D. S. Kamerer, W. T. Thompson and Edward W. Hughes, and their associates, successors and assigns, or a majority of them, be, and they are hereby, declared a body corporate, to be known as the South Carolina Company, and under that name, style and title shall have perpetual succession and all the privileges, franchises and immunities incident to a corporation; may sue and be sued, implead and be impleaded, complain and defend, in all Courts of law and equity, of record and otherwise; may purchase, receive, hold and enjoy to them, their successors and assigns, all such lands, tenements, leasehold estates, real, personal and mixed, of what kind and quality soever, as may be necessary to erect depots, engine houses, tracks, shops, and other purposes of the said cor-

Corporators.

Incorporation and name.

Succession, privileges and powers.

Property rights.

poration, as hereafter defined by the second Section of this Act; and the same from time to time may sell, convey, mortgage, encumber, charge, pledge, grant, lease, sub-lease, alien and dispose of; and also make and have a common seal, and the same to alter and renew at pleasure; and ordain, establish and put in execution such by-laws or ordinances, rules and regulations as may be necessary or convenient for the government of said corporation, not being contrary to the Constitution and laws of this State; and generally may do all and singular the matters and things which to them shall appertain to do for the well being of the said corporation and the management and ordering of the affairs and business of the same: *Provided,* That nothing herein contained shall be so construed as to give to the said corporation any banking privileges or franchises or the privilege of issuing their obligations as money.

A. D. 1898.

Seal.

By-laws.

Other powers.

Exceptions.

SEC. 2. That the corporation hereby created shall have power to contract with any person or persons, firms, corporations, or any other party, howsoever formed, existing, or that may hereafter exist, in any way that said parties, or any of them, may have authority to do; to build, to construct, maintain or manage any work or works, public or private, which may tend or be designed to improve, increase, facilitate or develop trade, travel or the transportation and conveyance of freight, live stock, passengers, any other traffic, by land or water, from or to any part of the United States or the Territories thereof; and the said company shall also have power and authority to supply or furnish all needful material, labor, implements, instruments and fixtures of any and every kind whatsoever, on such terms and conditions as may be agreed upon between the parties respectively; and also to purchase, erect, construct, maintain or conduct in its own name and for its own benefit, or otherwise, any such work, public or private, as they may by law be authorized to do (including also herein lines for telegraphic communication), and to aid, co-operate and unite with any other company, person or firm in so doing.

Contracts.

Structures for transportation, &c.

Material, labor, &c.

Other works.

SEC. 3. The company hereby created shall also have the power to make purchases and sales of, or investments in, the stock, bonds, securities of other companies, and to make advances of money and of credit to other companies, and to aid in like manner contractors and manufacturers; and to receive and hold on deposit or as collateral, or otherwise, any estate or property, real or personal, including the notes, obligations and accounts of in-

Investments.

Deposits.

A. D. 1893.

dividuals and companies, and the same to purchase, collect, adjust and settle, and also to pledge, sell and dispose thereof on such terms as may be agreed on between them and the parties contracting with them; and also to endorse and guarantee the payment of the bonds and performance of the obligations of other corporations, firms and individuals, and to assume, become responsible for, execute and carry out any contract, leases or subleases made by any company to or with any other company or companies, individuals or firms whatsoever.

Endorsements and guarantees.

Assumption of contracts.

Condemnation of lands.

SEC. 4. The company hereby created shall also have power to enter upon and occupy the lands of individuals or of companies, on making payment therefor, for the purpose of erecting, constructing, maintaining or managing any public work such as is provided for or mentioned in the second Section of this Act; to construct and erect such works thereon, and also such buildings, improvements, structures, roads or fixtures as may be necessary or convenient for the purposes of the said company, under the powers herein granted; and to purchase, make, use and maintain any works or improvement connecting or intended to be connected with the works of the said company, or to merge or consolidate or unite with the said company the improvements, property and franchises of any other company or companies, on such terms and conditions as the said company may agree upon; and to fix and regulate the tolls or charges to be charged or demanded for any freight, property or passengers traveling or passing over improvements erected, managed or owned by the said company, or any merchandise or property transported over any road whatever by the said company; and to make, from time to time, dividends from the profits made by said company.

Purchase and works.

Tolls and charges.

Dividends.

Capital stock.

Increase.

SEC. 5. The capital of said company shall consist of two thousand shares of the value of fifty dollars each, being one hundred thousand dollars, and with the privilege of increasing the same, by a vote of the holders of a majority of the stock present at any annual or special meeting, to such an amount as they may from time to time deem needful; and the corporators, or a majority of them named in the first Section of this Act, shall have power to open books for subscription at such times and places as they may deem expedient, and when not less than one thousand shares shall have been subscribed, and ten per centum thereon shall have been paid in, the shareholders may elect no less than three nor more than nine Directors to serve until the next annual election or until their successors shall be

Books of subscription.

Directors.

A. D. 1893.

duly elected and qualified; and the Directors so elected may, and they are hereby, authorized and empowered to have and to exercise, in the name and in behalf of the company, all the rights and privileges which are intended to be hereby given, subject only to such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due or to become due on the shares held by them; and should the capital stock at any time be increased, the stockholders, at the time of such increase, shall be entitled to a pro rata share of such increase upon the payment of the installments thereon duly called for; and whenever an increase of capital stock is made, a certificate thereof, duly executed under the corporate seal of the company and signed by the President and Secretary, shall be filed with the Comptroller-General before the same shall be deemed to be valid.

Rights and privileges.

Liabilities.

Distribution of increased stock.

Certificate of increase.

Offices.

SEC. 6. The principal office of the said company shall be in the State of South Carolina, but the Directors, under such rules and regulations as they may prescribe, may establish branches or agencies in other parts of the State or elsewhere.

Election of Directors.

SEC. 7. The Directors shall be elected annually by the stockholders on the first Tuesday of October of each year, and they shall elect from their number, at the first meeting of the Board after their election, a President, and also shall have power to elect from their number, or otherwise, a Vice-President, a Treasurer, a Secretary, and such other officers, clerks and agents as the business of the company may require. All elections for Directors shall be by ballot, and every stockholder shall be entitled to one vote for each share of stock held by him; but no person shall be eligible as Director who is not a stockholder to the amount of ten shares. At the annual or special meetings a quorum shall consist of stockholders owning at least one-half of the capital stock.

President and other officers.

Mode of election.

Who may be Director.

Quorum.

Notice of election.

SEC. 8. Ten days' notice shall be given by a publication in two newspapers published in the city of Charleston, South Carolina, of the time and place of the annual election, which election shall be conducted by three (3) stockholders, one of whom shall act as judge and the other two as inspectors.

Conduct of election.

By-laws.

SEC. 9. The Board of Directors shall make all by-laws necessary for conducting the business of the company, which by-laws shall at all times be accessible to persons transacting business with them. The said Directors shall have power, by vote of a majority of their number, at any meeting of the Board, to

Change of name.

A. D. 1893.

change the name of the said corporation; and by any new name thus adopted, upon filing with the Secretary of State and the Certificate of change. Comptroller-General a duly certified certificate, the said Company shall have, hold and enjoy all the rights, powers, privileges Unpaid shares. and immunities hereby granted. The Directors shall have power to require payment of the amount remaining unpaid on the stock of said company at such times and in such proportions as they shall think proper; the said assessment to be made as the by-laws of the said company shall direct.

Approved December 22d, A. D. 1893.

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No. 406. AN ACT TO INCORPORATE THE SOUTH CAROLINA TERMINAL COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. Incorporation. M. Lee, Frank R. Frost and J. Lamb Perry, their associates and successors, are hereby made and constituted a body politic and Name. corporate, under the name and style of the South Carolina Ter- Property rights. minal Company, and by that name and style shall have the right to purchase and hold all such real estate and personal property as it may from time to time deem necessary, and may dispose of the same in such manner and on such terms as it may deem Powers. proper; to sue and be sued; to have and use a common seal; to make such by-laws for the regulation and government of the said corporation in any and all matters whatsoever, not inconsistent with the Constitution and laws of the United States and of this State, as may be deemed necessary, and may add to, alter and amend the same from time to time as may be desired; and shall have, also, generally all the rights, powers and privileges in law incident or appertaining to similar corporations.

Capital stock. SEC. 2. That the parties aforesaid shall have power to raise by subscription a capital for the said corporation of two hundred and fifty thousand dollars ($250,000) in two thousand five hundred shares (2,500) of one hundred dollars each: *Provided, however*, That a majority of the Board of Directors of the said corporation shall have the power from time to time, and as occasion Increase. may require, to increase the said capital stock to any extent not Limit. exceeding two million ($2,000,000) dollars, whenever they deem

proper so to do; and the said corporation shall by its by-laws provide for the manner of raising and distributing such additional capital stock. A. D. 1893.

SEC. 3. That the said corporation is hereby authorized and empowered to erect and construct, or acquire, at the city of Charleston, and elsewhere, on such lands as it may now own or acquire, wharves, piers, docks, basins, warehouses, elevators and cotton presses, freight or passenger stations, yards, or other terminal facilities, for or to be used by railroad or water carriers, together with the approaches thereto, suitable for the accommodation for railroad tracks, steamships, vessels and boats, and for the convenient loading, unloading, shipping, receiving, storing, warehousing of all kinds of merchandise and personal property; and may conduct the business usually conducted by warehousemen, wharfingers and lightermen; and may charge and collect compensation for the storage, dockage, wharfage, lighterage, compressing and all labor incident thereto, including the expense of transferring, weighing, insuring, storing and delivering such merchandise; and may connect the wharves of the Eastern side of the city of Charleston with the railroads terminating in said city by a track or tracks, and for such purposes it shall have all the corporate rights, powers and privileges, and be subject to all the liabilities, provisions and limitations, contained in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23d, A. D. 1885. Structures. Purposes. Business authorized. Wharves and railroads. 19 Stat., 171.

SEC. 4. The said corporation is hereby authorized and empowered to construct, equip, purchase, charter, own and navigate vessels propelled by steam or other motive power, and to use the same in the transportation of merchandise, passengers and mails. Vessels. Transportation.

SEC. 5. That the said corporation is hereby authorized and empowered to lease its wharf and terminal facilities to any railroad incorporated and operated wholly or partly in this State, and for such purpose power is hereby granted to any railroad whose line or track connects with the wharves and buildings of said corporation to execute such lease. Leases.

SEC. 6. That the said corporation is hereby authorized and empowered to subscribe to the stock or bonds of any railroad company whose line of track directly connects with its wharves and warehouses; to loan money to such railway on the security of its bonds or stock; and any railway company whose lines of track connect with the warehouse and terminal facilities of said Stock in other corporations. Loans. Rights of other corporations.

A. D. 1893.

corporation is hereby authorized and empowered to subscribe for, own and hold the bonds or stock of said corporation and to guarantee its bonds to an amount not exceeding ten per cent. of the capital stock of such railway company; and the said corporation is further authorized and empowered to make advances in money on goods and merchandise stored in its warehouse or elsewhere, and to retain and enforce its lien for such advances in the manner prescribed by law.

Advances.

Lien.

May borrow money.

SEC. 7. That the said corporation is hereby authorized and empowered, from time to time, to borrow such sums of money as it may find necessary, and for such loans, at its option, to issue bonds in such amounts as it may deem proper; to sell, exchange and hypothecate such bonds as it may deem advisable, and to secure the said bonds and interest thereon by such deed or deeds of trusts or mortgage upon the property in such way as it may be advised.

Bonds.

Mortgages.

Liability of stockholders.

SEC. 8. That each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount besides the value of his share or shares therein not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided*, That such demands shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due and whilst he remained a stockholder therein, or within one year after he shall have ceased to be such stockholder: *Provided, further*, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable thereon beyond the value of the estate held by him as such executor, administrator, trustee, or in any other fiduciary capacity.

Provisoes.

Trustees, &c.

Voting by stockholders.

SEC. 9. That each stockholder shall have one vote for each share of capital stock in the said corporation he may own or represent at all elections and all meetings of the corporation; and the said corporation shall have authority in its by-laws to make such regulations as they may deem proper for the representation by proxy of such stockholders as may be absent at such elections and meetings.

Proxies.

Capital stock and its transfer.

SEC. 10. That the capital stock of the said corporation shall be deemed personal property, and the said corporation shall have authority in its by-laws to make such regulations as may be deemed necessary and proper for the issuing and transfer of such

stock, and for collecting and enforcing, by sale or otherwise, all subscriptions made thereto. A. D. 1893.

SEC. 11. That this Act shall be taken and deemed a public Act. Public Act.

Approved December 18th, A. D. 1893.

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AN ACT TO PROHIBIT THE INTERMENT OF HUMAN CORPSES WITHIN THE CORPORATE LIMITS OF THE TOWN OF CHESTER. No. 407.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the lapse of ninety days from the passage of this Act it shall be unlawful to inter human corpses within the corporate limits of the town of Chester, in this State. Interment prohibited.

SEC. 2. That any person or persons who shall violate the provisions of this Act shall, upon conviction thereof, be guilty of a misdemeanor, the punishment whereof shall be a fine of one hundred dollars or thirty days' imprisonment in the County jail. Penalty.

Approved December 18th, A. D. 1893.

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AN ACT TO INCORPORATE THE CITY OF CHESTER. No. 408.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all persons who shall have been domiciled in this State one year, and shall have resided in a territory lying around the city hall in the present town of Chester as a centre, one mile in every direction, sixty days prior to the passage of this Act, and their successors, are hereby declared to be a body politic and corporate under the name of the City of Chester. Incorporation. Limits. Name.

SEC. 2. That the said city is hereby divided into four wards with the following boundaries, to wit: That territory lying between a line beginning at the City Hall and running down the middle of the public square by the court house along the middle Wards. Ward 1.

A. D. 1893.

of York street to the corporate limits, and another line beginning at the same point and running down the middle of Centre street by the jail to the corporate limits, shall be known as Ward One; that territory lying between the line last mentioned and another line beginning at the same point and running down the middle of the Fish Dam road by the residence of R. Brandt to the corporate limits shall be known as Ward Two; that territory lying between the line last mentioned and another line beginning at the same point and running down the middle of the public square by the Bank of Chester, along the middle of Gadsden street, across the C., C. and A. R. R. to the corporate limits, shall be known as Ward Three; that territory lying between the line last mentioned and another line starting at the same point and running the course of the first herein mentioned line shall be known as Ward Four.

Ward 2.

Ward 3.

Ward 4.

Mayor and Aldermen.

Quorum.

How elected.

Term of office.

Present Council.

Election in 1894.

Oath of office.

Compensation of Mayor.

Mayor *pro tem.*

Sessions of Council.

Committees.

SEC. 3. That the said city shall be governed by a Mayor and eight Aldermen, who shall be citizens of the United States, qualified electors of the city, and shall have been domiciled in the State one year and in the city sixty days immediately preceding their election, and a majority of whom shall constitute a quorum to do business; that two Aldermen shall be elected from each Ward by the voters thereof, and the Mayor from the city at large by the voters thereof; that the said City Council shall hold office for two years from the day of their election and until their successors be qualified; that the Mayor and four Aldermen be elected during one year and four Aldermen the next year, and so on in each alternate year; that the present Intendant of the town of Chester and the present four Wardens be the Mayor and four Aldermen of the city of Chester until the regular election in May, 1895, and that an election be held at the election next hereafter to be held May, 1894, for four other Aldermen as hereinafter provided; that said Mayor and Aldermen shall take the Constitutional oath before entering into office; that said Mayor shall receive such compensation for his services as the City Council may by ordinance fix, and it shall not be changed during the incumbency of any Mayor; that whenever the Mayor be temporarily unable to attend to the duties of his office from sickness, absence or other cause, the Aldermen shall have the power to elect any one of their number to serve as Mayor *pro tem.*; that the City Council shall hold sessions at least monthly, and at such other times as it may desire; that the Mayor shall nominate at the commencement of his term committees to transact the public

A. D. 1893.

business; that each City Council before retiring from office shall make out and publish on the City Hall door, and return to their successors, an itemized statement of the receipts and disbursements of the city during their term of office; that when a newly elected City Council has been sworn in, then the outgoing Council shall forthwith turn over to it all the records, property and funds belonging to the said city, and a failure to do so without excuse for twenty-four (24) hours after a demand in writing so to do shall subject the members of said outgoing Council to a fine of five hundred dollars to be received by the City Council for the use of the city in any Court of competent jurisdiction.

Report to successors.

Surrender of property.

Penalty for failure.

Time of election

Place and hours

Notice.

Conduct of election.

Oath by Managers.

By voter.

List of voters.

Declaration of result.

Notification.

Election to fill vacancies.

Registration of electors.

SEC. 4. That the election for Mayor and Aldermen be held on the first Tuesday in May, and the first election hereunder shall be had for four Aldermen in May, 1894; that said elections be held at the City Hall, or such other place as may be designated by the City Council, from nine o'clock A. M. until five o'clock P. M., and that ten days' notice thereof be given by publication in a newspaper at Chester; that such election be conducted by three managers, to be appointed by the City Council, one of whom shall be Chairman and one of whom shall be clerk, and all of whom shall, before entering on their duties, take an oath to fairly and impartially conduct the election; that the said managers, or any of them, shall administer to every person offering to vote at the election an oath that he is duly qualified to vote at such election according to the Constitution and laws of this State and has not before voted at such election; that said managers shall keep a correct list of the names of the persons voting at such elections and of the persons offering to vote, shall count the ballots, cast up the result and proclaim the election, and file the lists and results with the Clerk of Council, and forthwith notify in writing the persons who have received a plurality of the ballots cast; that in the event any candidate fail to receive a plurality of the ballots cast, or in the event of a vacancy in office caused by death or resignation, or otherwise, another election shall be ordered in like manner as the first, but one registration in any one year shall be sufficient; that at any said elections all male citizens who have been domiciled in the State one year and in the city sixty days next before the election, and who have registered as is hereinbefore provided, and who are not disqualified by law, shall be entitled to vote; that ten days preceding the day of general elections the managers thereof shall attend the voting places, and there, upon such days as the City Council may

A. D. 1893.

designate, not less than two, between 9 o'clock A. M. and 3 o'clock P. M., until five days before the election, open a list for the registration of qualified voters of said city, on which list shall be specified in writing the name, occupation and ward of residence of the voter; that such lists shall remain in the custody of the managers until the day of election, but shall be subject to inspection of citizens at any time, and a copy thereof shall be immediately filed with the Clerk of Council; that the managers of election shall provide five boxes to receive the ballots, one the ballots for Mayor and one for the Aldermen from each ward.

Inspection of lists.

Number of boxes.

Powers of Trial Justices.

SEC. 5. That the said Mayor and Aldermen collectively and severally are hereby vested with the jurisdiction and powers within the city limits which Trial Justices now have, or may hereafter have, except in civil actions; that they shall be designated as the City Council of Chester; may have a common seal; may sue and be sued; may purchase or receive by gift or devise, and hold, personal and real property, not to exceed in value in the aggregate at any one time $100,000, may sell, alien or lease the same; may borrow money and execute evidences of debt, but such debts shall not exceed $10,000 at one time; may make such ordinances respecting sidewalks, streets, drainage, natural water courses, powder house or houses for storing explosives, the interment of human bodies, the running of railroad cars, butchers, livery stables, public drays or vehicles, live stock, places of amusement, public houses, saloons, auctioneers, itinerant tradesmen or peddlers, shows, circuses or exhibitions, as shall be proper, necessary or advisable for the preservation of the comfort, health, peace, order, convenience and welfare of the citizens of said city; may fix fines and impose penalties for violation of law or its ordinances, but no fine or penalty shall exceed $50 or imprisonment in the guard house for a longer period than thirty (30) days, or by sentence to labor on the streets for thirty (30) days, and the judgment may be in the alternative; may abate and remove all nuisances in the said city.

City Council of Chester. Powers.

Property rights.

Loans.

Ordinances.

Fines and penalties. Limit.

Nuisances.

Assessment of property.

SEC. 6. That the said City Council shall annually, during the month of August, appoint three citizens of the said city to assess in that month the value of all the taxable property therein, and the said appraisers shall ascertain from the taxpayers in person the true value of all their real and personal and mixed estates situated in said city, and enter the same in separate columns in a book, and it shall be signed by the appraisers and returned to the Clerk of the Council forthwith; but a taxpayer shall have

Complaints.

thirty days from the return of said assessment in which to complain thereof to the City Council, upon the entering of which the Council may lessen any assessment upon good cause shown. That upon the values so ascertained the City Council shall, during the month of October, levy a tax for corporate purposes not to exceed in any year four and one-half mills on the dollar, payable in advance to the Clerk and Treasurer of the Council during the months of November and December in each year; and all property upon which such taxes shall be levied shall be subject to a first lien for the payment thereof, except for debts due to the State; and upon failure of any person to pay such tax, the party so in fault shall be subject to the penalties and remedies provided, or which may hereafter be provided, by law for failure to pay State and County taxes, except that the execution for the collection thereof shall be signed and sealed by the Clerk and Treasurer of the Council and directed to a police officer of the city.

Tax levy.

Limit.

Lien for taxes.

Penalties for non-payment.

Execution.

SEC. 7. That the said City Council may grant or refuse licenses to keepers of livery stables, drivers of public drays, hacks and vehicles kept for hire, butchers, auctioneers, peddlers, itinerant tradesmen, keepers of billiard tables, ten-pin alleys, or any other kind of game, exhibitions of skill or chance within said corporation; and the said City Council may impose a license fee on any of the said occupations, which shall be turned into the city treasury.

Licenses.

License fee.

SEC. 8. That the City Council may elect a Clerk and Treasurer, such policemen as may be necessary to patrol the city, a superintendent of streets, and such other officers as may be required to transact the business of the corporation; and it may by ordinance prescribe the duties of said officers, may fix the salaries of the same and may exact bonds from them for the faithful performance of their duties; that such policemen shall take the oath prescribed by law for Constables, and are vested with all the powers and charged with all the liabilities with which Constables are now or may hereafter be vested and charged; that such policemen may arrest and commit to the guard house of said city for speedy trial any person who within the corporate limits may be engaged in a breach of the peace, riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent or dangerous to the citizens of said city; that all of said officers shall be liable to removal at the pleasure of said Council.

Officers.

Duties.

Salaries.

Bonds.

Policemen and their powers.

Removal of officers.

A. D. 1893.

SEC. 9. That persons charged with the violation of law or the ordinances of said city shall undergo trial before the Mayor or before the Council, as the defendant may elect, and without the intervention of a jury; that the Mayor or Council may require the attendance of witnesses, and require them to give testimony upon the trial of any cause then pending, and shall be governed by the same rules of procedure and evidence as are now or may hereafter be prescribed for the government of Courts of Trial Justices; that the party charged with an offense shall be cited to trial by the service upon him of a summons, under the hand of the Mayor, unless the offense is committed in full view of an officer, wherein shall be specified the offense charged and the time and place of trial, and wherein the City Council shall be plaintiff; that the said Council shall keep a book wherein shall be entered the names of parties charged with a violation of law or ordinances, the date of trial and the judgment in such case; that fines so imposed may be collected by an execution issued under the hand and seal of the Clerk and Treasurer, tested by the corporate seal and directed to a policeman of the corporation, who shall seize such property of the defendant as shall be subject to levy and sale, and sell in a public place the same to satisfy the judgment after two weeks' advertisement on the City Hall door.

Trials.

Witnesses.

Rules of procedure.

Summons.

Record of trial.

Collection of fines.

Fire limits.

SEC. 10. That the said City Council shall have full power to prevent the erection of any wooden or frame building, or any wooden roof, in any section of the said city that they may by ordinance define; and they are empowered to pass any ordinance to carry into effect the provisions of this Section, and may abate such buildings as a nuisance.

Streets, &c.

SEC. 11. That the said City Council is hereby invested with ample jurisdiction over the streets, alleys and sidewalks within the corporate limits; to close or extend, widen or narrow, lay out, grade, curb, pave and otherwise improve streets, alleys and sidewalks; to build bridges in, and culverts under, said streets; to prevent or remove any structure or obstruction or encroachment over or in or under any street, alley or sidewalk, and may permit shade trees to be planted along said streets; to prevent any company or persons from occupying with its works, or any appurtenances thereof, the streets, alleys or sidewalks of the city without the consent of Council; to prevent the cumbering of streets, sidewalks, alleys, lanes or bridges in the city in any manner whatever; and for the purpose of opening new streets, or of

Structures.

Fees.

Obstructions.

Condemnation of land.

A. D. 1898.

widening or changing existing streets, the City Council may condemn lands or buildings, or parts thereof, but just compensation therefor must be first made to the owner, and if the City Council and such owner fail to agree upon the amount of such compensation the same may be fixed as follows, to wit: The City Council shall nominate two citizens of the corporation, the owner of the property shall nominate two other citizens of the corporation, and these four shall nominate a fifth other citizen of the corporation, and these five citizens shall constitute a commission to examine the *locus in quo*, to take testimony and assess the compensation, and they shall file their decision with the Clerk of the Circuit Court, and it shall be final unless either party appeals therefrom to the Court of Common Pleas by serving on the other party within five (5) days after the filing of such decision a notice of appeal, and in that case the issue of compensation shall be submitted to a jury at the term of the Circuit Court next thereafter ensuing. In the event the property owner refuses to nominate two commissioners, then they shall be nominated by the Clerk of the Circuit Court for the County of Chester, and the fifth commissioner shall be chosen as before. The said commissioners shall be entitled to receive one dollar each for their services, to be paid by the City Council, but the costs of appeal shall be paid by the losing party. That for the purpose of keeping the streets, alleys, bridges, drains and culverts in repair, or for laying out and construction of new streets, all the male citizens of said corporation, between the ages of 16 and 55 years, render the City Council personal service therein for at least five days in each fiscal year, at such times as they may be called on by the corporate authorities, but such service may be commuted by the payment of two 50-100 dollars to the Treasurer of the corporation, to be expended for like purpose. And in the event any citizen liable to perform such service shall refuse to render the same, after notice of the time and place to serve, the said City Council or the Mayor shall have the power to try such person for such offense, and if found guilty to sentence him to as much as thirty days' imprisonment in the guard house, or to pay a fine of as much as $30, to be collected as other fines are collected. Members of the City Council shall be exempt from such duty, and all citizens of the corporation shall be exempt from road duty without the corporation. That whenever any new street is to be laid out, a street graded or paved, a culvert built, or any other public improvement constructed, the City

Proceedings.

Appeal.

Nomination of Commissioners.

Compensation.

Costs of appeal.

Street work.

Commutation tax.

Penalty for failure to work.

Exemptions.

Cost of improvements.

A. D. 1893.

Council shall determine what proportion, if any, of the cost thereof shall be paid out of the city treasury, and what proportion by the owners of real estate benefited thereby; but no such public improvement shall be made, to be defrayed in whole or in part by local assessment, until it has been requested to be undertaken by at least a majority of the owners of the property to be assessed for such improvements; and such assessments shall be collected in the same manner as is the cost of the construction of sidewalks. That the said City Council is vested with full power to require all persons owning lots, or a lot, on any street or alley in the said corporation to make and keep in good repair sidewalks abutting said lots or lot; and the Council may designate the width of such sidewalks and the manner of its construction; and in the event the owner shall refuse or neglect to comply with such regulations or requirement, the City Council may repair or construct the said sidewalks and receive from the owner the price thereof by suit in a Court of competent jurisdiction, but the contract for repairing or constructing thereof must first have been let out to the lowest bidder after notice by one publication in a newspaper in said city.

How payable.

Preliminary request.

Collection.

Sidewalks.

Penalty.

Fire department

SEC. 12. That the said City Council may establish and maintain a fire department for the extinguishment of fires, and to that end may purchase engines and pumps and hose, and construct tanks and reservoirs, and dig wells and lay pipes; that it may secure the service of firemen, either by exemption from public municipal duties, or by payment of money, and to this end it may pass all proper ordinances and make appropriations out of the city treasury for the establishment and support of such department.

Firemen.

City Hall.

SEC. 13. That the said City Council may hold and preserve its public building called the "City Hall," erected and used for the purposes named in an Act of the General Assembly approved 23d December, 1889, and may by ordinance provide for the government of the various departments thereof.

20 Stat., 480.

Water works.

SEC. 14. That the said City Council may construct, have constructed, or purchase, public works for the supply of pure water to the citizens of said corporation, may operate the same, and may sell the water to consumers; may construct, have constructed, or purchase, public works for the generation of gas or electricity for purposes of light, may operate the same, and sell light to consumers; and to these ends it may pass all ordinances necessary or proper for the regulation and control of said works:

Gas and electricity.

A. D. 1893.

*Provided*, No bonded obligation shall be incurred by said city until that question has been submitted to a popular election therein and shall have been approved by a majority of the voters then voting. Bonded debt to be voted on.

SEC. 15. That this Act shall take effect from and after its passage; that all the other Acts conferring powers on the Town of Chester, and not herein referred to, are continued of full force; that the ordinances of the Town of Chester are hereby continued, to be of full force and effect for the government of the City of Chester until repealed or modified by other ordinances; that all the obligations and contracts of the Town of Chester and to the Town of Chester are hereby continued as the valid and subsisting obligations and contracts of and to the City of Chester; and all property of the Town of Chester is hereby vested in the City of Chester; that all Acts or parts of Acts thereof inconsistent with this Act are repealed; that this Act is a public Act, and shall continue of force for thirty years next hereafter. When to take effect. Confirmation of acts and ordinances. Obligations. Property. Repealing clause. Public Act. Duration.

Approved December 20th, A. D. 1893.

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AN ACT TO ENABLE THE CITY OF CHESTER TO ISSUE COUPON BONDS FOR THE FUNDING OF ITS FLOATING DEBT, AND FOR THE MACADAMIZING OF STREETS, AND FOR THE CONSTRUCTION OF WATER WORKS. No. 409.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the city of Chester is hereby authorized and empowered to issue coupon bonds to the amount of fifty thousand dollars, to be expended as follows: Six thousand dollars to fund the floating debt of said city, $22,000 to macadamize its streets, and $22,000 to construct water works for said city. Coupon bonds. Amount.

SEC. 2. That before such bonds or any part thereof are issued a majority of the qualified electors of the said city then voting shall vote in favor of such indebtedness at an election ordered and held for that purpose. That the City Council of Chester are authorized to order an election for any one or more of said purposes and at different times; that three weeks' notice thereof be given, by advertisement in a newspaper at Chester, of the time, Issue to be approved by electors. Election.

A. D. 1893.

place and purpose of such election. That the City Council shall appoint three discreet electors, who shall be sworn to conduct the same fairly, to manage said election; it shall prescribe the form of the ballot, receive the returns, and canvass the same, and declare the result, which shall be published in the succeeding issue of a newspaper published in said city.

Managers and their duties.

Description of bonds.

SEC. 3. That said bonds shall bear interest from their date, until paid or retired, at the rate of six per cent. per annum, payable semi-annually, and shall be of the denomination of $500 each; they shall be signed by the Mayor of said city and countersigned by the Clerk and Treasurer of the City Council, and the coupons shall be signed by the Clerk; they shall be due thirty years after the date thereof, but redeemable at the option of the City Council at any time after the lapse of fifteen years from their date; the coupons thereof shall be receivable for taxes due the said city.

Execution.

When payable.

Coupons receivable for taxes.

Sale of bonds.

SEC. 4. That no part of said bonds shall be sold for less than par or face value, and they may be sold in bulk or as the proceeds are needed, and the proceeds thereof shall be devoted exclusively to the purpose for which they may have been issued, to be evidenced in a separate account.

Application of proceeds.

Annual tax levy

SEC. 5. That the City Council of Chester is hereby empowered to levy and collect a tax on the assessed taxable property therein to meet the interest and principal on said bonds as the same falls due, or it may pay the same out of any other revenues on hand for which the law requires no other specific application.

Repealing clause.

SEC. 6. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved December 22d, A. D. 1893.

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No. 410. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW TOWNSHIP AND SCHOOL DISTRICT IN CHESTER COUNTY AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN," ENACTED BY THE GENERAL ASSEMBLY IN 1879, STATUTES AT LARGE, VOL. XVII., PAGE 9.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an

Act entitled "An Act to provide for the establishment of a new township and school district in Chester County and to authorize the levy and collection of a local tax therein," be, and the same is hereby, amended by inserting after the word "two," on line three of the first paragraph of Section three of said Act, the words "and one-half." So that said paragraph of said Section when amended shall read as follows:

A. D. 1893.

A. A. 1879, 17 Stat., 9, amended.

SECTION 3. The said school district is also hereby authorized and empowered to levy on all real and personal property returned in said district a local tax, not exceeding two and one-half mills on the dollar, to supplement the Constitutional tax for support of said schools, by the persons and in the mode following, to wit:

Local school tax.

Approved Decemher 20th, A. D. 1893.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE INDIANOLA MANUFACTURING AND POWER COMPANY," APPROVED DECEMBER 14, 1892. No. 411.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Indianola Manufacturing and Power Company," approved December 14, 1892, be amended by striking out Section 6 therein and inserting in lieu thereof the following Section, to be known as Section 6:

A. A. 1892, 86, ante 217, amended.

SECTION 6. The parties aforesaid shall have power to raise, by subscription, a capital for the said corporation of five hundred thousand dollars ($500,000), in five thousand (5,000) shares of one hundred dollars each: *Provided, however,* That when two hundred and fifty thousand dollars ($250,000) of said capital stock shall have been subscribed and twenty per cent. thereof paid in, the said corporation may organize and commence business: *Provided, further,* That a majority of the Board of Directors of the said corporation shall have the power, from time to time, and as occasion may require, to increase the said capital stock to any extent not exceeding five million dollars ($5,000,000) whenever they deem proper to do so; and the said corporation shall, by its by-laws, provide for the manner of raising and distributing such additional capital stock.

Capital stock.

Organization.

Increase of capital stock.

How raised.

Approved December 20th, A. D. 1893.

A. D. 1893.

No. 412.

## AN ACT TO AMEND THE CHARTER OF THE SPRATT BUILDING AND LOAN ASSOCIATION OF CHESTER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

New subscriptions authorized

the Spratt Building and Loan Association of Chester, South Carolina, a corporation organized under the General Incorporation Act, is hereby empowered to receive new subscriptions to its capital stock.

When receivable. Notice.

SEC. 2. That such subscriptions may be received at such time as the Board of Directors of said association may fix, one week's notice thereof being first given in a newspaper; that the sub-

Limit.

scription at any one time shall not exceed three hundred shares of the par value of one hundred dollars, but it may be for any sum less than that.

Continuing series.

SEC. 3. That the said Board of Directors may, from time to time, and as often as four times in each year, receive stated subscriptions to the capital stock of the said association, so as to continue the business of said association in different and continuing series, so long as the same may appear advisable or profitable.

Governed by charter.

SEC. 4. That the said subscriptions, and the rights and remedies of subscribers and of the association thereunder, shall be subject to and governed by the charter issued to the said asso-

Ante 392.

ciation by the Secretary of State, dated 23rd February, 1892.

Accounts, how kept.

SEC. 5. That the accounts of the said association shall be so kept as to entirely separate the interests of stockholders of different series.

Approved December 20th, A. D. 1893.

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No. 413.

## AN ACT TO DETERMINE THE PERSONS ENTITLED TO THE PRIVILEGES OF THE SCHOOL DISTRICT OF CHERAW.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Only resident pupils admitted free.

from and after the passage of this Act no pupil shall be admitted into the Public Graded School of the School District of Cheraw without paying tuition fees, unless said pupil has been a *bona*

*fide* resident of said school district for ninety days prior to admission into said school. A. D. 1893.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act are hereby repealed. Repealing clause.

Approved December 20th, A. D. 1893.

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AN ACT TO PROVIDE FOR THE PAYMENT OF A SALARY TO THE SHERIFF OF CLARENDON COUNTY FOR SERVICES IN CRIMINAL CASES, AND IN CERTAIN OTHER CASES THEREIN MENTIONED. No. 414.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the first day of January, A. D. 1894, the Sheriff of Clarendon County shall receive an annual salary of seven hundred dollars, in lieu of all costs, charges and fees whatsoever, for services in criminal cases cognizable in the Court of General Sessions, including the execution and service of all venires for grand and petit jurors and the execution and service of all processes issued by the Coroner of said County: *Provided,* That nothing herein contained shall be construed to prevent him from receiving the fees provided by law for dieting prisoners and fees for transporting lunatics to the Asylum. Salary of Sheriff. To be in lieu of all charges. Except dieting and transportation fees.

SEC. 2. That the said Sheriff shall make to the County Treasurer of said County monthly a sworn itemized return of all fees, costs and fines received and collected by him in criminal cases, and shall at the same time pay over the same to said Treasurer. And it is hereby made the duty of the County Auditor and County Treasurer of said County to examine said sworn return and the books of said Sheriff every month for the purpose of enforcing the provisions of this Act. Itemized return to County Treasurer. Payment. Examination of returns and books.

SEC. 3. That if the said Sheriff shall fail or neglect to make said monthly return on or before the tenth day of each month, or shall file a false or fraudulent return, or shall retain in his hands and fail or refuse to pay over any part of the fines, fees or costs received or collected by him, at the time and in the manner required by this Act, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be imprisoned for not Penalty for non-return, false return or non-payment.

A. D. 1893.

more than one year or pay a fine of not more than two hundred dollars, or both, in the discretion of the Court; one half of such fine to be paid to the informer.

Half fine to informer.

Sheriff may retain fees other than County charges.

SEC. 4. The said Sheriff shall collect and receive all fees and costs to which he would have been entitled but for the provisions of this Act, except such as may be chargeable against said County, and shall pay over the same as required by this Act.

Repealing clause.

SEC. 5. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

When to take effect.

SEC. 6. That this Act shall go into effect immediately upon its approval.

Approved December 22d, A. D. 1893.

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No. 415. AN ACT TO FIX THE SALARY OF THE TRIAL JUSTICE AT MANNING, IN CLARENDON COUNTY, AND TO AUTHORIZE THE APPOINTMENT OF A CONSTABLE FOR SAME AND FIX HIS SALARY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the first day of January, A. D. 1895, the Trial Justice at Manning, in Clarendon County, shall be allowed a salary of three hundred dollars per annum in lieu of all costs and fees in criminal proceedings, payable quarterly, on the first of January, April, July and October of each year, by the County Treasurer of said County, and of County funds, and no account or claim other than for such salary shall be preferred by, allowed or paid to said Trial Justice by the said County on account of criminal proceedings.

Salary in lieu of costs in criminal cases.

Payable quarterly.

No other claim.

Constable.

SEC. 2. That from and after the first day of January, A. D. 1894, said Trial Justice shall appoint one Constable, and no more, to serve the processes of his Courts, removable at pleasure; and the Constable so appointed shall receive a salary of two hundred dollars per annum, in lieu of all costs and fees in criminal proceedings, to be paid at the times and in the manner hereinbefore provided for the payment of the salary of said Trial Justice: *Provided*, That nothing herein shall prevent said Trial Justice from appointing the Sheriff of said County to act as his

Salary.

Payable quarterly.

Sheriff as Constable.

Constable, and from preventing said Sheriff to act as said Constable, and to receive the salary so provided for same. A. D. 1893.

SEC. 3. That so much of all Acts or parts of Acts as are inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

SEC. 4. That this Act shall go into effect immediately upon its approval. When to take effect.

Approved January 4th, A. D. 1894.

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AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF COLLETON COUNTY TO SELL AND CONVEY THE PROPERTY KNOWN AS THE POOR HOUSE FARM. No. 416.

*Whereas* the County Commissioners of Colleton County have purchased a tract of land for a Poor House farm, and the same is not entirely satisfactory to them, but they are without power to convey; now, Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Colleton County be, and they are hereby, authorized to sell the whole or a portion of such Poor House farm recently purchased from H. D. Padgett, and to execute such deeds as in law may convey the title of the said County of Colleton. Such deed or deeds to be signed by the said County Commissioners and their clerk, and to be attested by the corporate seal of the County: *Provided,* That said County Commissioners shall not sell the same for less than the amount paid for the purchase of the tract, or if they sell a portion, for not less than four dollars per acre paid. Sale authorized. Execution of deeds. Limit to price.

Approved January 4th, A. D. 1894.

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AN ACT TO INCORPORATE THE TOWN OF HARLEYVILLE, IN COLLETON COUNTY. No. 417.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all

A. D. 1893. Incorporation. citizens of the United States and this State who now are, or hereafter may be, inhabitants of the town of Harleyville, in Colleton County, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by Name and limits. the name of Harleyville, and the limits shall extend one-half mile in every direction from where the Orangeburg road crosses the Charleston, Sumter and Northern Railroad.

Rights and limitations. SEC. 2. Said town of Harleyville shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An 19 Stat., 174. Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, 1885.

Public Act. SEC. 3. This Act shall be a public Act, and shall continue in Duration. force for thirty years from the date of its passage, and until the final adjournment of the General Assembly next after.

Liquor licenses prohibited. SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the town of Harleyville, in the County of Colleton; and the Sale of liquor prohibited. sale of spirituous or intoxicating liquors, bitters, or other beverages of which spirituous liquors form an ingredient, within the corporate limits of said town is hereby prohibited; and any one Penalty. violating this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, in the discretion of the Court.

When to take effect. SEC. 5. This Act shall take effect immediately upon its approval.

Approved December 20th, A. D. 1893.

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No. 418. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER THE TOWN OF WALTERBORO, IN THE COUNTY OF COLLETON," APPROVED DECEMBER 24TH, A. D. 1889.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. A. 1889, 20 Stat., 497, amended. Section 10 of said Act be amended by inserting after the word "limits," on the 19 line, and before the word "and," the fol-

A. D. 1893.

lowing words: "such licenses when granted to be made payable in the month of November of each and every year." So that said Section as amended shall read as follows:

Council meetings.

SECTION 10. The members of the Council shall meet in Council on the fourth Friday in every month, and whenever at other times they may be summoned by the Intendant so to meet: *Provided,* That upon the written request of three Wardens the Intendant shall summon the Council to meet. They shall have and keep a common seal, which shall be affixed to all ordinances passed by them; and they may sue and be sued, plead and be impleaded, in any of the Courts of this State. They may purchase, hold and possess, and enjoy, to them and their successors, in perpetuity, or for a term of years, any estate, either real or personal or mixed, and to sell, alien and convey the same at will. They may, from any funds in the treasury not needed for the government of said town, appropriate for the benefit of schools therein such sums of money as may by them be deemed expedient. The said Town Council shall have full power and authority to make, ordain and establish all rules, by-laws, regulations or ordinances respecting the roads, streets, markets, police, granting of licenses for carrying on any trade, craft, calling, business or profession, except for the sale of spirituous liquors, within the corporate limits, such licenses when granted to be made payable in the month of November of each and every year: *Provided,* That licenses for transient vendors, showmen and of occupations as are transient in their nature may be collected at any time, and in general every other ordinance that shall appear to them requisite and necessary for the security, welfare and convenience of the town, or for preserving the health, peace, order and good government thereof. That the said Council shall be authorized and empowered to provide against the violation of any and all of the ordinances of said town, by imposing punishment for the same by fine or imprisonment in the town lock-up or in the County jail: *Provided,* No fine shall exceed the sum of fifty dollars, or term of imprisonment be longer than thirty days. That it shall be the duty of the Town Council to keep all roadways and streets within the corporate limits of the town open and in good repair, and shall provide for the punishment of all and every person or persons who may in any way willfully obstruct the streets or public ways or render in any way the traveling thereon dangerous.

Powers and seal.

Property rights.

Aid to schools.

By-laws and ordinances.

Licenses.

Proviso.

General welfare.

Punishments.

Limit.

Streets.

A. D. 1893.

Section 11 amended.

SEC. 2. That Section 11 of said Act be amended by inserting after the word "cent." on the fourth line thereof, the following words, to wit: "the assessment of said property taken by the Auditor of said County being taken and received as the assessment upon which taxes shall be levied, which said taxes when so levied shall be collectable in the month of November of each year." And on the tenth line thereof, after the word "publish" and before the word "A" on the eleventh line thereof, strike out the following words, "as may be most expedient," and inserting the following words, "upon the outside of the door of the Council Chamber, or in some newspaper published in said town;" and on the eleventh line thereof, after the word "the" and before the word "receipts," on the twelfth line thereof, inserting the word "annual." So that said Section shall read as follows:

Taxes.

SECTION 11. That the said Town Council shall be authorized and empowered to pass all ordinances for the imposition of taxes upon real or personal property within the corporate limits, and for the collection of the same, not exceeding one-half per cent.;

Assessment.

the assessment of said property taken by the Auditor of said County being taken and received as the assessment upon which said taxes shall be levied, which said taxes when so levied shall be collectable in the month of November of each year. That

Lien.

all taxes assessed or levied on real estate in said town by said Town Council shall constitute a prior lien on said real estate, except for taxes due the State and the County in which said town is situated, for the period of two years from the date the

Account to be published by Council.

said tax becomes due and payable. That the said Town Council shall, in the month of April in each and every year, publish upon the outside of the door of the Council Chamber, or in some newspaper published in said town, a true and accurate account of the annual receipts and expenditures of the said corporation.

Approved December 20th, A. D. 1893.

A. D. 1893.

No. 419.

A JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF COLLETON COUNTY TO USE TEN THOUSAND DOLLARS OF THE FUND ARISING UNDER AN ACT ENTITLED "AN ACT TO CREATE AND PROVIDE FOR A SINKING FUND TO MEET THE BONDED INDEBTEDNESS OF THE COUNTY OF COLLETON, AND TO LIMIT AND DEFINE THE POWERS AND DUTIES OF THE COUNTY COMMISSIONERS AND THE COUNTY TREASURER OF SUCH COUNTY IN CONNECTION THEREWITH," APPROVED DECEMBER 24TH, A. D. 1890, AND ACT AMENDATORY THEREOF, APPROVED DECEMBER 24TH, A. D. 1891.

Preamble.

*Whereas* the County Treasurer of the County of Colleton has to his credit, deposited in the different savings banks of the State, a fund arising under an Act entitled "An Act to create and provide for a sinking fund to meet the bonded indebtedness of the County of Colleton, and to limit and define the powers and duties of the County Commissioners and County Treasurer of such County in connection therewith," approved December 24th, 1891, which said fund will not be needed until the year 1903; *and whereas* the establishment of the said sinking fund is no part of the contract under which the said bonded indebtedness was incurred; *and whereas* for the purposes of travel and in interest of business a sum of money is now essential to repair the roads and replace the bridges in said County destroyed by the storms of August and September, 1893, which sum of money may be replaced by taxation;

20 Stat., 1324.

Fund appropriated.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Colleton are hereby authorized and required to use and appropriate a sum of money, not to exceed the sum of ten thousand dollars, of the said fund in the hand of the Treasurer of said County, to the rebuilding or repair of the roads and bridges in said County destroyed by the said storms.

Limit.

To roads and bridges.

County Treasurer to pay.

SEC. 2. That the Treasurer of the County of Colleton be, and he is hereby, authorized and required to pay the said sum of money from the said fund aforesaid, not to exceed the sum of ten thousand dollars, on the order or drafts of the County Commissioners of Colleton County, pursuant to the foregoing Section, drawn in accordance with law.

On order of County Commissioners.

Approved December 20th, A. D. 1893.

NOTE.—For Act relating to terrapin in Colleton County, see ante Act No. 331, p. 553.

A. D. 1893.
No. 420.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE TRAFFIC IN SEED COTTON IN THE COUNTIES OF DARLINGTON, MARION AND MARLBORO."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to regulate the traffic in seed cotton in the Counties of Darlington, Marion and Marlboro" be and the same is hereby, amended by inserting after the word "Marlboro," and before the word "within," the words "Broxton Township, in Colleton County." So that Section 1 as amended shall read as follows:

A. A. 1892, p. 1, ante 281, amended.

Extended to Broxton Township of Colleton.

Traffic in seed cotton prohibited.

SECTION 1. That the traffic in seed cotton by purchase, barter or exchange in the Counties of Darlington, Marion and Marlboro, and Broxton Township, in Colleton County, within the periods hereinafter named, without license is hereby prohibited.

Approved January 4th, A. D. 1894.

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No. 421. AN ACT TO REDUCE THE NUMBER OF, AND TO PROVIDE FOR SALARIES TO, THE TRIAL JUSTICES AND CONSTABLES OF DARLINGTON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on the expiration of the terms of office of the present Trial Justices and their Constables in Darlington County the Governor is authorized, by and with the advice and consent of the Senate, to appoint five Trial Justices for the County of Darlington, to be located as hereinafter provided and mentioned, which Trial Justices shall receive as compensation for their services in criminal cases, and on inquests when acting as Coroner, in lieu of all costs and fees, annual salaries, as follows: One Trial Justice at Darlington, to receive a salary of three hundred dollars; one at Lamar, to receive a salary of one hundred and fifty dollars; one at Lydia, to receive a salary of one hundred and fifty dollars; one at Ashland, to receive a salary of one hundred and fifty dollars; and one Trial Justice at Society Hill, to receive a salary of one hundred and fifty dollars.

Five Trial Justices to be appointed.

Compensation.

At Darlington.

At Lamar.

Lydia.

Ashland.

Society Hill.

A. D. 1893.

SEC. 2. That each of said Trial Justices be authorized to appoint a person to act as Constable in serving and executing process issued by him, who shall give the bond and take the oath required by law. The Constables so appointed shall receive as compensation for their services the fee at present allowed by law. Constables. Compensation.

SEC. 3. That the salaries herein provided shall be due and payable quarterly, upon the order of the County Commissioners of said County. Salaries payable quarterly.

SEC. 4. That each of said Trial Justices shall collect and pay over to the County Treasurer all costs and fees in criminal cases to which he would have been entitled but for the provisions of this Act, together with all fines collected by him, and shall, at least ten days prior to each term of the Court of General Sessions for the County, make out and file with the Clerk of Court a sworn transcript of his criminal docket, which shall show the amount of fees and costs and fines imposed, and the sums collected thereon, which transcript shall be submitted to the Grand Jury, at the term next ensuing, for investigation. Costs, fees and fines. Transcript of dockets. For Grand Jury.

SEC. 5. That so much of all Acts or parts of Acts as is inconsistent with this Act be, and hereby is, repealed. Repealing clause.

Approved January 4th, A. D. 1894.

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## AN ACT TO INCORPORATE THE DARLINGTON GUARDS. No. 422.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That H. T. Thompson, R. E. James, M. T. Lide and W. A. Parrot, and their associates and successors, are hereby made and created a body politic and corporate under the name and style of the Darlington Guards. Incorporation. Name.

SEC. 2. That the said corporation shall have succession of officers and members according to their elections and its by-laws; and shall have power to make all by-laws not repugnant to the law of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued in any Court of this State; and to have and enjoy every right, power and privilege incident to such corporations; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as it may acquire by purchase, right, Succession. By-laws. Seal. Suits and other rights. Property.

A. D. 1893.

devise, bequest or in any other manner whatsoever, and the same or any part thereof to sell, alien, encumber, mortgage or convey, at the will and pleasure of said corporation: *Provided,*

Limit.

That the amount of property, real and personal, so held shall not at any time exceed the sum of ten thousand dollars.

Liability of members.

SEC. 3. That the members of the said corporation shall not be individually liable for any of the debts or obligations of the said corporation, nor shall they be subject to any of its liabilities.

Termination of membership.

SEC. 4. That all the rights and interest of each member in the estate, property, privileges and franchises belonging to the corporation shall cease at his death or when his membership in the corporation is terminated by resignation, expulsion or otherwise.

Duration.

SEC. 5. That this Act shall continue in force for the space of twenty-one years and until the meeting of the next General Assembly thereafter, and that the same be taken and deemed a

Public Act.

public Act, and may be given in evidence without being specially pleaded.

Approved January 4th, A. D. 1894.

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No. 423. AN ACT TO AMEND THE CHARTER OF THE FARMERS LOAN AND SAVINGS BANK OF EDGEFIELD, S. C., SO AS TO CHANGE THE NAME THEREOF, TO INCREASE THE CAPITAL STOCK OF SAID BANK TO ONE HUNDRED THOUSAND DOLLARS, AND TO ALLOW AND AUTHORIZE IT TO RECEIVE AND EXECUTE TRUSTS AND TRUSTEESHIPS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Name changed.

from and after the passage of this Act the Farmers Loan and Savings Bank of Edgefield, a corporation created by law under a charter issued out of the Secretary of State's office of the State of South Carolina on the 31st day March, 1890, be, and is hereby, permitted to change the name of said bank to that of the Farmers Bank of Edgefield, S. C.

Increase of capital stock.

SEC. 2. That said bank be further permitted and authorized to increase its capital stock to one hundred thousand dollars.

Trust powers.

SEC. 3. That said bank shall have power and authority, in addition to the powers already possessed, to accept and to execute

any trusts and trusteeships, of any and every description, which may at any time, with the consent of said bank, be committed and transferred to said bank by any person or persons whomsoever, or by any bodies politic or corporate. A. D. 1893.

SEC. 4. That all Acts and parts of Acts inconsistent herewith are repealed. Repealing clause.

Approved December 20th, A. D. 1893.

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AN ACT TO INCORPORATE THE FARMERS MUTUAL INSURANCE ASSOCIATION OF EDGEFIELD COUNTY, SOUTH CAROLINA. No. 424.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That L. J. Williams, W. H. Yeldell, W. H. Timmerman, Jacob P. Hardy, B. L. Caughman, J. H. Edwards, S. M. Smith, J. L. Smith, D. W. Padgett, and other persons who shall become members thereof, be, and they are hereby, constituted a body politic and corporate under the name of the Farmers Mutual Insurance Association of Edgefield County, South Carolina, and under that name shall have all the powers, privileges and franchises incident to such corporations under the laws of this State. Corporators. Incorporation and name. Powers.

SEC. 2. That said corporation shall have the right to mutually insure the respective dwelling houses, barns and other buildings, household goods, and farming implements, and machinery of its members against loss by fire, wind and lightning, upon such terms and under such conditions as may be fixed by the by-laws of the said corporation. It may sue and be sued in any Court in this State, and may have and use a common seal. Mutual fire and storm insurance. Suits and seal.

SEC. 3. That said corporation may make by-laws fixing the number of its Board of Directors and other officers, and defining the powers and duties of the Directors and officers, also making rules and regulations governing the corporation and the conduct of its business, not inconsistent with the laws of this State. By-laws and regulations.

SEC. 4. That every member of said corporation be, and is hereby, bound and obliged to pay his or their portion of all losses and expenses happening or accruing to said corporation; and all buildings or other property insured by and with said corporation, together with the right, title and interest of the assured to the lands on which said buildings or other property may stand, Payment of losses. Pledge of property.

A. D. 1893. shall be pledged to the said corporation, and the corporation shall have a lien thereon against the assured, his or her heirs, representatives and assigns, during the continuance of their insurance, as to all debts and liabilities contracted or incurred by said corporation subsequent to the passage of this Act.

Liability of property for losses. SEC. 5. All property insured by said corporation shall be liable as herein provided until all outstanding losses shall have been paid and until the owner thereof shall have withdrawn his insurance in the manner prescribed by the by-laws of said corporation: *Provided, however,* That any transfer of such property shall operate as a release of the same under the provisions of this Act as to all subsequent liabilities unless the purchaser or purchasers thereof shall make application to the Board of Directors for a continuance of said insurance within ten days from the date of such transfer, in which event such purchaser or purchasers shall be substituted to all the rights of the vendor under this Act, and the said property shall be held liable as herein provided, and the provisions of this Section shall apply as well to the personal representatives and guardians as to purchasers of such property.

Release by transfer.

Limit to insurance. SEC. 6. That the aggregate amount of insurance by said corporation in Edgefield County shall not be less than fifty thousand dollars, nor shall it exceed one million dollars.

Public Act. When to take effect. Duration. SEC. 7. That this Act shall be deemed a public Act, and shall go into effect immediately after its approval, and shall continue in force for a period of thirty years.

Approved January 4th, A. D. 1894.

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No. 425. AN ACT TO FIX THE COMPENSATION AND PRESCRIBE THE JURISDICTION OF THE TRIAL JUSTICES IN AND FOR THE COUNTY OF FAIRFIELD.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act there shall be thirteen Trial Justices in and for the County of Fairfield, one for each Judicial District as now established by law. Each of said Trial Justices shall have jurisdiction of all matters properly triable in Courts of Trial Justices in their Judicial District.

Number, location and jurisdiction.

A. D. 1893.

SEC. 2. That the compensation of each of said Trial Justices, except for the Judicial Districts of Winnsboro, Ridgeway and Blythewood, shall be fifty dollars each per annum, and the Trial Justice of the Judicial District of Winnsboro shall be one hundred and fifty dollars per annum, and for the Judicial District of Ridgeway one hundred dollars per annum, and for the Judicial District of Blythewood fifty dollars per annum; the above compensation to be the full amount to be paid for each of said Trial Justices for all services in all criminal causes, to be paid quarterly by the County Treasurer upon the warrant of the County Commissioners.

Compensation generally.
Winnsboro.
Ridgeway.
Blythewood.
Payable quarterly.

SEC. 3. That each of said Trial Justices shall have the power to appoint one Constable for the service of all processes issued by them, civil and criminal, who shall receive fifty dollars each per annum in lieu of all fees and costs in criminal cases, except the Constable in the Judicial District of Winnsboro, who shall receive seventy-five dollars per annum; and the Constable of the Judicial District of Ridgeway, who shall receive seventy-five dollars per annum; and the Constable of the Judicial District of Blythewood, who shall receive fifty dollars per annum; the compensation of Constables to be paid as now provided for by law.

Constables.
Compensation generally.
Winnsboro.
Ridgeway.
Blythewood.

SEC. 4. This Act shall not take effect until the expiration of the terms of office for the present incumbents.

When to take effect.

SEC. 5. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

Approved December 22d, A. D. 1893.

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## AN ACT TO FIX THE TIME OF THE SITTING OF THE CIRCUIT COURTS IN FLORENCE COUNTY. No. 426.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Circuit Courts for the County of Florence, in this State, shall be held each year hereafter as follows: The Court of General Sessions at Florence, for the County of Florence, on the last Monday in January, the fourth Monday in May and the second Monday in September; and the Court of Common Pleas at the same place on the Wednesdays following the last Monday in

Terms of Court fixed.

A. D. 1893. January, the fourth Monday in May and the second Monday in September.

Repealing clause. SEC. 2. That so much of all Acts or parts of Acts as are inconsistent with this Act be, and the same are hereby, repealed.

When to take effect. SEC. 3. That this Act shall take effect immediately upon its approval.

Approved January 4th, A. D. 1894.

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No. 427. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE CITY OF FLORENCE," APPROVED DECEMBER 24TH, A. D. 1890.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an

A. A. 1890, 20 Stat., 860, amended by substitution. Act to incorporate the City of Florence, approved December 24th, A. D. 1890, be, and the same is hereby, amended by striking out all after the enacting words of said Act and inserting the following:

Incorporation. SECTION 1. That from and after the passage of this Act all citizens of this State having resided for twelve months within the State and sixty days within the corporate limits of the City of Florence shall be deemed, and are hereby declared, a body politic and corporate, and the said incorporation shall be called and

Name and limits. known by the name of the City of Florence, and its corporate limits shall extend one mile in every direction from the Southwest corner at the intersection of Front and Dargan streets in said city.

City Council. SEC. 2. That the said city shall be governed by a City Council composed of a Mayor and twelve Aldermen, who shall have resided within the State for one year and within the limits of the corporation for sixty days immediately preceding their election.

First election of Mayor and Aldermen. The said Mayor and Aldermen shall be elected as follows: On the fourth Thursday in January, A. D. 1894, an election shall be held in said city for the purpose of electing eight Aldermen, two from each ward in said city as now laid off, who shall hold their office as the Mayor and Aldermen now composing the City

Election in 1895. Council of said city until the first Thursday in the month of May, A. D. 1895, when the term of the City Council as then composed shall expire, and on which said day an election shall

A. D. 1893.

be held as provided herein, at which election shall be elected a Mayor and twelve Aldermen—three Aldermen from each ward, elected by the voters of the entire city, whose respective terms of office shall be as follows: The Mayor and the four Aldermen receiving the lowest majority of votes shall hold their office for a term of two years. The four Aldermen receiving the next lowest majority shall hold their office for a term of four years, and the four Aldermen receiving the greatest majority of votes shall hold their office for a term of six years. That after the election on the first Thursday in May, A. D. 1895, as above provided, an election shall be held on the first Thursday in May in the year A. D. 1897, at which election shall be elected a Mayor, whose term of office shall be two years, and four Aldermen, whose terms of office shall be for six years, and thereafter in each alternate year shall be elected a Mayor and four Aldermen for a like term, fifteen days' notice being previously given of such election, and shall continue in office as above provided and until the election and qualification of their successors. And all male citizens of said city who shall have attained the age of twenty-one years and resided therein sixty days immediately preceding the election shall be entitled to vote at the same. That the said election shall be held at such convenient public place or places in said city from eight (8) o'clock in the morning to five (5) o'clock in the evening, and under such regulations as shall be prescribed by the City Council. The Mayor shall always appoint the managers to conduct the election, who, before they open the polls for said election, shall take an oath affirming to act fairly and impartially in conducting the same: *Provided, however,* That one (1) Alderman shall be elected from each ward by the voters of the whole city, and shall reside in the said ward during the term of their office, and the Mayor shall be elected by the voters of the entire city, but shall not be restricted as to residence in said city. And the Mayor and Aldermen before entering upon the duties of their office shall respectively take the oath prescribed by the Constitution of this State and the following oath, to wit: "As Mayor (or Alderman) of the City of Florence, I will fairly and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect according to law the purpose for which I have been elected. So help me God." And if any person, upon being elected Mayor or Alderman, shall refuse to act when elected, he shall forfeit and pay to said City Council the

Three Aldermen from each ward.

Term of office.

Subsequent elections.

Notice of election.

Electors.

Time and place.

Managers.

How elected.

Oath of office.

Forfeiture for failure to serve.

A. D. 1893.

sum of twenty dollars for the use of said city: *Provided*, That no person who has attained the age of fifty years shall be compelled to serve in either of the said offices, nor shall any other person be compelled to serve more than six years.

Exemptions.

Vacancies.

SEC. 3. That in case any vacancy shall occur in the office of Mayor or any of the Aldermen by death, resignation, or otherwise, a special election to fill such vacancy shall be ordered by the Council, and held in the manner herein prescribed. The City Council shall be empowered to elect one of their members Mayor *pro tem.*, who shall act as Mayor during the time of the sickness or absence of the Mayor.

Mayor *pro tem.*

Powers of a Trial Justice.

SEC. 4. That the Mayor and Aldermen duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of a Trial Justice or other inferior Court, and the Mayor shall, and may as often as may be necessary, summon the Aldermen to meet in Council, any six of whom with the Mayor, or any seven Aldermen, shall constitute a quorum to transact business, and they shall be known by the name of the City Council of Florence, and they and their successors hereafter to be elected may have a common seal, which shall be affixed to all their ordinances; may sue and be sued, may plead and be impleaded, in any Court of law or equity in this State, and purchase, hold, possess and enjoy to them and their successors in perpetuity or for any term of years any estate, real or personal or mixed, and sell, alien and convey the same: *Provided*, The same shall not exceed at any one time the sum of fifty thousand dollars. And the said City Council shall have full power to make and establish all such rules, by-laws and ordinances respecting the roads, streets, market and police force of the said city as shall appear to them necessary and requisite for the security, welfare and convenience of said city, or for preserving health, order, peace and good government within the same; and all the by-laws, rules and ordinances the said Council may make shall at all times be subject to revisal or repeal by the General Assembly of this State. And the said Council may fix and impose fines and penalties for the violation thereof, and appropriate the same to the public uses of said corporation: *Provided*, That no punishment shall exceed one hundred dollars' fine or thirty days' imprisonment.

Council meetings.

Quorum.

Seal.

Powers.

Property rights.

Limit to property.

Ordinances.

Fines and penalties.

Limit.

Liquor licenses authorized.

SEC. 5. That the Mayor and Aldermen of said city shall have full and only power to grant or refuse licenses to keep taverns or retail spirituous liquors within the corporate limits of said city

A. D. 1893.

upon such considerations and under such circumstances as to them shall seem right and proper: *Provided*, That in no instance shall the price of a license to keep a tavern or retail spirituous liquors be fixed at a less sum than is established by the laws of this State; and all moneys paid for licenses and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables within the said limits, shall be appropriated to the public uses of said city.

License fee.

Appropriation of revenue.

Streets and roads.

SEC. 6. That it shall be the duty of the Mayor and Aldermen to keep all roads, streets and ways within their corporate limits open and in good repair. They shall have power to compound with all persons liable to work the streets, ways and roads in said city upon such terms as they by ordinance shall establish, the moneys so received to be applied to the public use of said city; and all persons failing or refusing to pay such commutation shall be liable to such fine, not exceeding twenty dollars, or imprisonment not exceeding ten days, as the City Council may impose.

Commutation tax.

Penalty for default.

Sales and licenses.

SEC. 7. The said City Council shall have power to regulate sales at auction within the limits of said city and to grant licenses to auctioneers: *Provided*, That nothing herein contained shall extend to sales by Sheriffs, Clerk of Court, Judge of Probate, Coroner, executor or administrator, assignee in bankruptcy, or by any of the persons out of the order, decree of any Court, Trial Justice or other inferior Court: *And provided, further*, That no license shall be charged citizens of the County who offer for sale county produce, poultry, butter, milk, eggs, and fish caught in the neighboring fresh water streams and waters.

Exceptions.

Shows.

SEC. 8. The said Council shall have the right to regulate the price of licenses upon all public shows and exhibitions in the said city; to erect a powder magazine and compel any person or persons holding more than twenty-five pounds of powder to store the same therein, and to make regulations for the rate of storage thereof and for keeping and delivering the same, and to provide a penalty for the violation of said regulations.

Powder magazine.

Penalty.

Annual taxes.

SEC. 9. That the said Council shall also have the power to impose an annual tax not exceeding two dollars on every hundred dollars, in which shall be included the tax hereinafter provided for the payment of interest and a sinking fund on the bonds issued for erecting the jail and court house of Florence County, of the assessed value of real and personal property lying within

A. D. 1898.

Exception. Lien. the corporate limits of said city, real and personal property of churches and school associations excepted. And all property upon which a tax shall be levied by the said Council is hereby declared and made liable for the payment thereof in preference to all other debts against the said property except debts due to

Assessment. the State, which shall first be paid. The value of said real and personal property for the purpose of taxation shall be fixed and assessed as hereinafter provided.

Returns for taxation. SEC. 10. That each owner of real estate, whether held in trust or otherwise, shall make, on or before the first day of June in each year hereafter, thirty days' notice having been previously given through some local newspaper by publication, a return to the Clerk of the City Council of his, her, their or its real property

What to state. in said city, which return, under oath, shall set out and designate the number of lots and buildings thereon, together with fixtures thereon, the location thereof and the valuation of the same;

Penalty for failure. should any owner fail to make such return as above provided a penalty of fifty per cent. of the value of said property shall be

Board of Assessors. added by the Clerk of the City Council. That the Mayor shall on or before the first day of June appoint a Board of Assessors composed of three freeholders of said city, whose terms of office shall continue during the term of the Mayor making the appoint-

Oath. ment; said Assessors before entering upon their duty shall take an oath to fairly and impartially appraise the returns of real property submitted to them by the Clerk of the City Council.

Duties. The said Assessors shall further, after examination and appraisement of said returns, assess all real property of which no returns

Report. have been made. The said Assessors shall, on or by the last day of July in each year, make a report in writing of their appraisement and assessment and file same with the Clerk of the City

Fine for refusal to act. Council; and any person refusing to act when so appointed shall be fined not exceeding twenty dollars by the City Council.

Notice to taxpayer of increase. Should the return of any such real property owner be raised, it shall be the duty of the Clerk of the City Council to mail a written notice to such person of the fact within ten days after the filing of said report; and if no complaint be made to the City Council, and no good cause shown why such appraisement should be reduced within twenty days, it shall remain as appraised, but the City Council may reduce such appraisement for good

Compensation. cause shown. The compensation of said Assessors shall be fixed by the City Council.

Notice to taxpayers to make return. SEC. 11. That the said City Council shall, on or before the thirty-first day of May in each year, publish a notice to all the

A. D. 1893.

inhabitants of said city for four successive weeks requiring every owner of personal property within the corporate limits of the same to make a fair and just return, on oath, before the Clerk of said city within a time fixed in said published notice; and upon the failure of any person who is the owner, or is the agent of the owner, of any personal property within the limits of said city to make such return thereof for taxation, it shall be the duty of said Clerk to assess said personal property for taxation and add fifty per cent. penalty to the assessed value thereof, and his assessment shall be final. But in case the City Council disapproves the return of personal property made by the owners or by the agents of the owners of said personal property, for taxation, they shall have the power to compel each property owner, or the agent of such property owner, to appear before them and firmly account for the personal property of such owner or agent. And in case of neglect or refusal of the owner or agent to obey the summons of the Mayor or Aldermen to come before them and account for his or her personal property, then and in such case the said Mayor and Aldermen may impose upon the said person so refusing a penalty not to exceed fifty per cent. of the value for such neglect or refusal, and the said Mayor and Aldermen shall proceed to assess the personal property of the person who shall refuse to appear before them as aforesaid at what may in their judgment be its true value, adding fifty per cent. penalty.

Penalty for failure.

Requiring taxpayer to appear.

Penalty for failure.

SEC. 12. That the City Council shall publish for at least thirty days in each year the method of taxation adopted by them for that year, stating in such notice the rate of taxation as fixed by said Council, and prescribing the time when the taxes shall be payable; which time of payment the said City Council may, for good cause shown, extend the time, provided the extension shall be general; and should any person fail to pay the taxes due to the city within the time prescribed by the City Council a penalty of fifteen per cent. on the amount of taxes due shall be added by the City Treasurer and collected as other taxes.

Published notice of tax levy.

Penalty for non-payment.

SEC. 13. That the said City Council, for the purpose of collecting the taxes upon the real and personal property within the corporate limits of said city, and also for the purpose of collecting such penalty as they may have imposed when the said taxes and said penalty have not been paid by the person against whom the said taxes have been assessed, or against whom the said penalty may have been passed, shall have the power and authority to issue execution against property, both real and personal, of

Tax executions.

A. D. 1893.

the person who has failed to pay his or her taxes, or who has failed to pay the penalty imposed, directed to the Sheriff of

Sales by Sheriff.

Florence County, requiring him to sell at Florence, at public outcry, the property, real or personal, or both, as the case may be, of the person described in said execution, to pay the amount fixed in said execution to be due, and that the said execution

Form of execution.

herein provided for shall conform, as near as can be, to that issued out of the Court of Common Pleas in this State against the property, and said execution shall be prepared by the Clerk

To be signed and sealed.

of the Council, signed by the Mayor, or Mayor *pro tem.*, of the said city, attested by the common seal of the said city; and the Sheriff, before making any sales of real or personal property

Advertisement of sales.

under said execution, shall advertise a notice of said sale, describing the property therein, in one of the newspapers published in said city, for twenty days next preceding said sale if the same be of real estate, and for fifteen days if the same be of personal

Application of proceeds.

property; and after the Sheriff shall have sold the property he shall, after payment of the costs of said execution and expenses of said sale, forthwith turn over from the proceeds of such sale or sales an amount equal to the tax and penalty specified as due in the execution to the Treasurer of said city upon his receipts

Purchaser to receive deed.

therefor; and the purchaser at the sale of said Sheriff shall receive a deed in case of the sale of land, and a bill of sale in case of the sale of personal property, from the said Sheriff, and the same shall in law operate to convey the absolute estate of the delinquent taxpayer or of the person upon whom a penalty may

Fees.

have been imposed and payment neglected or refused. And the Sheriff shall be entitled, for the lodgment of said execution and the levy and sale thereunder, to the same costs as are allowed him by law for the same services on execution issued under judgment

To be paid by defaulter.

obtained in the Court of Common Pleas; and the costs of said Sheriff shall be collected through said execution, out of the property of the defendant; after the payment out of the proceeds of said sale of said costs and expenses, and the amount

Surplus.

called for by said execution, the said Sheriff shall dispose of the same in like manner as is provided by law in cases of execution issuing out of the Court of Common Pleas.

May open and close streets.

SEC. 14. That the City Council of Florence shall have full power and authority to open new streets in said city, and to close up, widen or otherwise alter those in use, or which may hereafter be established, whensoever in their judgment the same may be necessary for the improvement or convenience of said city, with

the consent of the adjacent land owners, or in such manner as may be provided by law. A. D. 1893.

SEC. 15. That the said City Council shall have power, and are hereby authorized, to elect one Chief of Police and as many assistants as may be necessary, (in addition to the Sheriff of Florence County, who shall be *ex officio* a policeman of said city,) to fix their salaries and prescribe their duties. They shall be sworn in and vested with all of the powers now conferred by law upon Constables, and subjected to all the liabilities and duties that now are or may hereafter be conferred upon Constables, in addition to the special duties devolved upon them by the said City Council: *Provided*, That their jurisdiction shall not extend beyond the limits of the said corporation. Police. Powers and liabilities. Jurisdiction.

SEC. 16. That the said City Council shall have power to establish a guard house and to prescribe by ordinance suitable rules and regulations for keeping and governing the same; and the said City Council may by ordinance, or the said Mayor or Aldermen in person, any one or more of them, authorize and require any policeman of the city, or any Constable specially appointed for that purpose, to arrest and commit to said guard house, for a term not exceeding twenty-four hours, Sunday excepted, any person or persons who, within the corporate limits of said city, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said city or any of them; and it shall be the duty of the policemen to arrest and commit all such offenders when required to do so, who shall have the power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests; and upon failure of the city policemen to perform such duty, if required, they shall severally be subject to such fines and penalties as the City Council may establish; and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as provided by this Act for the collection of fines imposed for violation of ordinances: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense which he may have committed. Guard house. Arrest and commitment. *Posse comitatus*. Failure of duty. Penalty. Proviso.

SEC. 17. That the said City Council shall have the power to collect the taxes from all persons representing publicly within the corporate limits for gain or reward any plays or shows of any kind whatsoever, said tax to be used for the purposes of said city. Plays and shows.

A. D. 1893.

Half fines to informer.

SEC. 18. That all the fines which shall be hereafter collected for retailing without license within the corporate limits of the said city shall be paid one-half to the informer and the other half to the City Council for the use of the said city.

Nuisances.

SEC. 19. That the said City Council shall have power to abate all nuisances within their corporate limits, and also to appoint a Board of Health

Board of Health

of said city, and to pass such ordinances as may be necessary to define the duties and powers of said Board, and to impose fines and penalties upon the members of said Board for neglect of duty or refusal to serve: *Provided,* That no fine hereby authorized to be imposed shall exceed the sum of twenty dollars; and the said City Council shall have power to pass such ordinances as in their judgment may be necessary for the purpose of regulating and controlling the sanitary affairs of said city, and by ordinance impose such sanitary tax on each inhabitant as shall in their judgment be necessary for the purpose of keeping said city in a clean and healthy condition, and impose such fine on any person refusing to comply with the sanitary laws of said city as the Mayor shall deem proper, not exceeding one hundred dollars or imprisonment not exceeding thirty days. The said City Council of Florence shall have power and authority to require the owner or owners of any lot or lots in said city to keep the streets in front of said lot or lots clear of all filth and rubbish; and also to make and keep in good repair sidewalks in front of said lot or lots when the same shall front on or adjoin any of the public streets of the said city, if, in the judgment of the said City Council, such sidewalks shall be necessary, the width thereof and the manner of their construction to be designated and regulated by the said City Council; and for default or refusal on the part of such owner or owners to keep in repair such sidewalks whenever required, the said City Council may cause the said streets to be cleaned or such sidewalks be made and kept in repair and require such owner or owners to pay the costs and expenses thereof: *Provided, however,* That contracts for cleaning the said streets or making and putting in repair such sidewalks shall be let to the lowest bidder.

Limit to fines.

Sanitary matters.

Duty of lot owners.

Sidewalks.

Penalty for default.

Contracts for repairs.

Bonds and scrip.

SEC. 20. That the City Council may, for the purpose of internal improvement or liquidation of city indebtedness, borrow money, issue bonds or scrip therefor, bearing not a greater rate of interest than seven per cent., payable at such times as they may think advisable, and payable out of the taxes and income of said city: *Provided,* That said principal of bonds and scrip shall

Limit.

A. D. 1898.

at no time exceed the sum of fifty thousand dollars, not including the court house, jail or graded school bonds heretofore issued, unless by a majority vote of the property-hold voters of said city, at an election to be held for such purpose, in which case the City Council are authorized to borrow money, issue bonds and scrip therefor in a sum not exceeding twenty-five thousand dollars in addition to the above fifty thousand dollars. Said election shall be conducted as follows: When the City Council by resolution determine to issue the twenty-five thousand dollars additional bonds, it shall cause a notice of an election to be published for two issues in a city newspaper prior to the election, stating the object, time and place when and where such election will be held. At which election all citizens of the city of Florence who would be entitled to vote for the Mayor and Aldermen of the said city, and who have returned and paid taxes on one hundred dollars' worth of property in said city the year preceding said election, shall be entitled to vote one vote for each and every one hundred dollars' worth of property so returned and taxes paid thereon. The manner of holding said election shall be provided for by the City Council of said city. And the said City Council is hereby authorized and required to make a special annual levy of taxes on all taxable property in the city of Florence sufficient to pay the interest on all bonds and scrip hereafter issued and to create a sinking fund sufficient to liquidate such bonded indebtedness. And the City Treasurer is hereby required to collect said taxes and hold the same separate and distinct from any other city taxes, and he is hereby prohibited from paying out or using said special taxes when so collected, except for the purpose of paying off the principal and interest of said bonds or scrip; and the City Council is hereby required to take from said City Treasurer a bond, with good and sufficient security, in a sum equal to the amount of money in hands subject to the payment of said bonds and interest thereon, in addition to the bond now required of him.

Debt election.

Conduct of election.

Special annual tax levy.

Duty of City Treasurer.

Bond of Treasurer.

SEC. 21. That the Mayor and Aldermen shall, during their term of office, be exempt from street duty. Each City Council shall, within one month after expiration of their office, make out and return to their successors a full account of their receipts and expenditures during their term, and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and papers incidental to their office, to their successors, and on failure to do so they shall be liable to be fined in

Exemption from street duty

Report to successors.

Transfer of property.

Penalty for failure.

A. D. 1898.

a sum not to exceed one hundred dollars, to be collected in any proper action by the City Council.

Malfeasance and misfeasance.

SEC. 22. That for any willful violation or neglect of duty, malfeasance in office, abuse or oppression, the said Mayor and Aldermen, jointly and severally, shall be liable to indictment in the Court of Sessions, and upon conviction to punishment as prescribed in the preceding Section, besides being liable for damages to any person or persons injured.

Public scales.

SEC. 23. The Mayor and Aldermen of the city of Florence are hereby authorized and empowered to establish and keep up one or more public scales for weighing cotton and other articles sold by weight in said city, and to appoint one or more public

Weighers.

weighers, who shall be sworn by the Mayor to faithfully perform the duties of said office, and who shall be removable at the

Toll.

pleasure of the City Council. And said City Council is authorized to assess a sum not exceeding ten cents on each bale of cotton, and a proportionate sum on all articles weighed, to be paid

Standard.

for by the buyer, for the use of said city. And that the said scales shall be the standard to which all others in the said city shall conform.

License tax.

SEC. 24. That the said City Council may require the payment of such reasonable license taxes by any person engaged in, or about to engage in, any calling, business or profession carried

Exceptions.

on within the limits of said city, except those engaged as teachers or ministers of the Gospel.

Wards.

SEC. 25. That the said city is hereby divided into four wards,

First.

as follows: The First Ward shall embrace all that portion of said city lying North of Evans street and East of Dargan street;

Second.

the Second Ward shall embrace all that portion of said city lying

Third.

South of Evans street and East of Dargan street; the Third Ward shall embrace all that portion of said city lying West of

Fourth.

Dargan street and North of Evans street; the Fourth Ward shall embrace all that portion of the same West of Dargan street and

Changes.

South of Evans street: *Provided, however,* That the City Council may readjust and change the boundaries of said wards at any time or times after the first election under this charter, preserving as nearly as possible an equality of population and values of property in said wards.

Regulations of erections.

SEC. 26. The City Council of Florence, in addition to the powers theretofore granted them, shall have authority so to control the erection of all buildings and improvements in said city as to conduce to the public safety and security of the said city and the inhabitants thereof.

A. D. 1893.

Labor on streets

SEC. 27. That the said City Council of Florence shall have power to require all persons who may be sentenced by the Mayor or City Council to imprisonment to labor upon the streets of said city.

Acts not repealed.

SEC. 28. That this Act is not intended to repeal any law now of force in the City of Florence, where not in direct conflict herewith; and this Act shall go into effect on the first day of January, A. D. 1894; and all ordinances heretofore passed by the Town or City Council of the Town or City of Florence, under existing laws, that are not in conflict with any of the provisions of this Act be, and the same are declared to be, of full force and effect in the said City of Florence; and until the election of Mayor and Aldermen herein provided for, the City Council at Florence be, and they are hereby, declared to be the City Council of Florence, and the Mayor vested with the name and all the power and duties of the Mayor of said city, and the Aldermen vested with the name and all the powers and duties of Aldermen of the said City of Florence.

When to take effect.

Ordinances ratified.

Present Council

Repealing clause.

SEC. 29. That all Acts and parts of Acts heretofore passed in relation to the incorporation for the Town of Florence, and all Acts or parts of Acts amendatory thereof inconsistent with this Act, be, and the same are hereby, repealed.

Public Act. Duration.

SEC. 30. That this Act shall be deemed a public Act, and continue in force until amended, altered or repealed.

Approved December 22d, A. D. 1893.

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No. 428.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN THE COUNTY OF DARLINGTON AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN," APPROVED DECEMBER 24, 1883.

A. A. 1883, 18 Stat., 557, as to School District in the city of Florence, amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to provide for the establishment of a new school district in the County of Darlington and to authorize the levy and collection of a local tax therein," approved December 24, 1883, be, and the same is hereby, amended by striking out the word "town" wherever it occurs in said Act and insert-

A. D. 1893.

ing in lieu thereof the word "city," and striking out the word "two," on line four of Section three, and insert in lieu thereof the word "four." So that said Act when so amended shall read as follows:

Area of Florence city school.

SECTION 1. That for the purpose of maintaining graded public schools in the City of Florence, and promoting their efficiency, the area embraced in the corporate limits of the City of Florence is hereby declared to be a new school district, to be known as

Name.

the School District of the City of Florence.

Incorporation.

SEC. 2. That the said school district shall be a body politic and corporate, with such government, rights, privileges and liabilities as are now provided for school districts by the School Law of South Carolina.

Special school tax.

SEC. 3. That in addition to the rights and privileges hereinbefore granted, the said school district shall have the power to levy and collect a tax on the assessed value of all real and personal property returned in said school district, not exceeding four mills on the dollar, subject to the following provisions:

Meeting of property holders.

The City Council of the City of Florence shall at any time previous to the first day of June of each year, upon the written request of thirty of the property holders in said school district,

Notice.

issue a call for a meeting, after two weeks' notice, of all those citizens who return real or personal property in said school district. Such notice shall specify the time, place of meeting, and be published in a County newspaper, and be posted in three con-

List of voters.

spicuous places in said school district. The City Council of the City of Florence shall cause to be prepared a list of all the voters hereinbefore provided for, a certified copy of which shall be

Powers of meeting.

turned over to the Secretary of said meeting. The persons entitled to vote in said meeting shall have power: First, To appoint a Chairman and Secretary. Second, To adjourn from time to time. Third, To decide whether, in addition to the amount of the Constitutional school tax apportioned to the use of the schools in said school district, it is deemed expedient to levy an additional tax, not to exceed the limit hereinbefore mentioned, for the pay of teachers' salaries, or the building, furnishing, repairing and improvement of school houses or for incidental expenses. Fourth, To elect four School Commissioners, one from each ward, who, together with the Mayor of said city, shall

Voters.

constitute a School Board. Only those persons shall vote at such meetings who are citizens of the State and return real or per-

Tax not repealable.

sonal property in said school district. No tax thus levied shall

A. D. 1898.

be repealed at any subsequent meeting. It shall be the duty of the Chairman of such meeting to keep a correct record of all the proceedings and to file the same in the office of the Mayor. It shall also be the duty of said Chairman to notify the City Clerk, within one week, of the amount of tax thus levied; and the said Clerk shall thereupon proceed to assess such tax on all real and personal property returned in said school district. The City Treasurer shall collect this tax at the time and in the manner provided for collecting the city taxes, and it shall be a lien on all property until paid as is provided for in case of State and County taxes. The proceeds arising from this tax shall be kept separate and be paid out by the City Treasurer in warrants drawn by said School Commissioner, and the said Treasurer shall be liable to all penalties now prescribed by law for non-performance or neglect of duty.

Record.

Notification, assessment and collection of tax

Disposition of proceeds.

SEC. 4. The Town Treasurer shall receive as compensation for his services such reasonable sum, not exceeding one hundred dollars, as said School Board may determine, and before entering into his duties as Treasurer he shall give an official bond in the penal sum of two thousand dollars to the said Board, with two good sureties, conditioned for the faithful performance of his duties.

Compensation of Treasurer.

Bond.

SEC. 5. That the County Treasurer shall hold the Constitutional school tax and poll tax to which the said school district is entitled under the general provision of law subject to the warrant of the Board of School Commissioners of said school district.

Two mill and poll tax.

SEC. 6. That the Board of School Commissioners shall have power to assess upon each scholar, as supplementary tuition fees, such sum or sums as may be necessary to meet the expenses of said schools: *Provided*, That should the parent, guardian or other person with whom such scholar resides make application to the Board of School Commissioners for said district, stating that such parent, guardian or other person with whom such scholar resides is not able to pay tuition, then such scholar shall be admitted free.

Tuition fees.

Exceptions.

SEC. 7. That said Board may assemble at any time and elect a Clerk and Superintendent of Town Schools, whose duties and compensation shall be prescribed by the said Board: *Provided*, That no member of the Board of School Commissioners shall be eligible to any office within the provisions of this Act. The said Board shall have the following powers and duties: 1. To dis-

Clerk and Superintendent.

Ineligibility.

Powers of Board

Duties.

A. D. 1893. charge the same duties in the town which are required of School Trustees in the Counties. 2. To determine the studies and class books to be used in the schools. 3. To cause examinations to be made of teachers for the town schools. 4. To elect and dismiss Superintendents and teachers, prescribe their duties and term of office, and to make rules for the government of the schools. 5. To fill vacancies occurring in the Board by death, resignation, departure from the State or refusal to qualify. 6. To establish, when expedient, a Normal School Department, and to grant diplomas. 7. To make, if required, an annual report to the Superintendent of Education. 8. To determine the manner in which the tax hereinbefore provided for shall be expended in maintaining the town schools.

Studies. Examinations. Teachers. Vacancies. Normal School. Reports. Expenditure of tax.

Approved January 4th, A. D. 1894.

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No. 429. AN ACT TO PROVIDE FOR THE LEVY AND COLLECTION OF A SPECIAL TAX ON ALL THE STOCK EMBRACED IN A CERTAIN SECTION OF FLORENCE COUNTY NOW EXEMPT FROM THE OPERATION OF THE GENERAL STOCK LAW.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Florence County be, and they are hereby, authorized and required to levy a special tax upon the assessed value of all the cattle, hogs, sheep, dogs and goats embraced in all that section of Florence County formerly embraced in the Counties of Clarendon and Williamsburg which is now exempt from the operations of Chapter XXVII. of the General Statutes, relating to the General Stock Law, sufficient to put the fence in Florence County now around said exempted section in good repair; and whenever it becomes necessary to repair the said fence, they shall levy a tax as above provided sufficient for said purpose.

Special stock tax. Section embraced.

SEC. 2. That the County Treasurer of said County of Florence is hereby empowered and required to collect the tax provided for in this Act as now provided by law for the collection of State and County taxes.

For repair of fences. Collection of tax.

SEC. 3. That this Act shall take effect immediately upon its approval. A. D. 1893. When to take effect.

Approved January 4th, A. D. 1894.

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AN ACT TO RECHARTER AND ESTABLISH PRINGLE FERRY, IN GEORGETOWN COUNTY, STATE OF SOUTH CAROLINA. No. 430.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and is hereby, established and chartered to reach across the Black River in Georgetown County, to be known as Pringle Ferry, and that said ferry be vested in E. W. and J. T. Hazzard as to one-third interest and H. C. Sampson as to two-thirds interest, and their assigns, for the term of fifteen years, and that the following rate of toll be charged and collected, and no more: For every horse and buggy, each way, twenty-five cents; for every two horses and buggy, each way, thirty-five cents; for one wagon and team of four horses, forty cents each way; for one horse and cart, fifteen cents each way; for ox and cart, ten cents; for every person on horseback leading or driving a mule or horse, ten cents; for every horse or mule, four cents; for every head of cattle, three cents; for hog, sheep or goat, two cents; every animal for show, in addition to the carriage in which it may be conveyed, forty cents; for every foot passenger, each way, two and a half cents: *Provided,* That children going to and returning from school, and voters going to and returning from poll, militia going to and returning from muster, and clergymen, be passed free of toll. Ferry on Black River. Vested. Rates of toll. Free passage.

SEC. 2. *Provided, further,* The flat at said ferry shall be made of prime cypress timber, not be less than forty feet long, twelve feet wide and two feet six inches deep. Character of flat.

SEC. 3. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed. Repealing clause.

SEC. 4. That this Act take effect immediately after its approval by the Governor. When to take effect.

Approved January 4th, A. D. 1894.

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NOTE.—For Act relating to terrapin in Georgetown County, see ante Act No. 381, p. 553.

A. D. 1893.
No. 431.

A JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF THE COUNTY OF GREENVILLE TO RELEASE AND RELINQUISH UNTO THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE CITY OF GREENVILLE, S. C., CERTAIN RENT OWING BY SAID ASSOCIATION TO SAID COUNTY FOR THE USE OF ROOMS IN THE RECORD BUILDING.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Rent of $750 to be released.

the County Commissioners of Greenville County be, and they are hereby, authorized and empowered to release and relinquish unto the Young Men's Christian Association of the city of Greenville, S. C., all the rent, amounting in the whole to about seven hundred and fifty dollars, owing by said association to said County for rooms occupied by said association in the Record Building in said city.

Approved December 20th, A. D. 1893.

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No. 432. AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO AUDIT AND APPROVE A CLAIM OF FIFTY-NINE DOLLARS AND FIVE CENTS DUE TO WALKER, EVANS & COGSWELL CO., FOR BOOKS AND STATIONERY FURNISHED SAID COUNTY IN THE YEARS 1886, 1887 AND 1888, AND TO DRAW THEIR WARRANT ON THE COUNTY TREASURER TO PAY SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Claim to be approved.

the County Commissioners of Greenville County be, and they are hereby, authorized to audit and approve a claim due by said County to Walker, Evans & Cogswell Company, for books and stationery furnished the County in the years 1886, 1887 and 1888,

For $59.05.

amounting to fifty-nine dollars and five cents. And that when approved and audited, they draw their warrant on the County

Payment.

Treasurer to pay the same out of the taxes collected for the fiscal year commencing November 1st, 1893.

Approved January 4th, A. D. 1894.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO LIMIT THE TRIAL JUSTICES IN GREENVILLE COUNTY, TO FIX THEIR TERRITORIAL JURISDICTION, AND FOR THE MANNER AND AMOUNT OF THEIR COMPENSATION." A. D. 1893. No. 433.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of same, That Section three (3) of an Act entitled "An Act to limit the Trial Justices in Greenville County, to fix their territorial jurisdiction, and for the manner and amount of the compensation," be, and the same is hereby, amended by striking out all the words of the first paragraph thereof after the words "criminal cases." So that said Section when so amended shall read as follows: A. A. 1886, 83, 19 Stat., 701, amended.

SECTION 3. That each of said Trial Justices shall have power to appoint one Constable for the services of all processes issued by them, civil and criminal, who shall receive thirty-seven dollars and fifty cents per annum in lieu of all fees and costs in criminal cases, and the Constables appointed by the Trial Justices of the city of Greenville shall execute all warrants in criminal cases to be served and executed in Greenville Township except the Constables appointed by the Trial Justices in the city of Greenville, who each shall receive an annual salary of two hundred dollars in lieu of all fees and costs in criminal cases. The compensation of Constables to be paid as now provided by law. Constable. Salaries. How paid.

Approved December 22d, A. D. 1893.

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AN ACT TO CHARTER THE TOWN OF ATHENS, IN GREENVILLE COUNTY. No. 434.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all the citizens of the United States who now are, or hereafter may be, inhabitants of the town of Athens, in Greenville County, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Athens, and the limits shall be as follows: The territory North of the McAlhany road, extending one mile up the Carolina, Knoxville and Western Railway from said McAlhany road, Incorporation. Name and limits.

A. D. 1893. and one-half mile on each side of said Carolina, Knoxville and Western Railway Company, making the incorporate limits of said town one mile square.

Rights and liabilities. SEC. 2. The said town of Athens shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885 : *Provided,* That the sale of spirituous or intoxicating liquors within the corporate limits of said town of Athens is hereby prohibited.

19 Stat., 174.

Sale of liquors prohibited.

Public Act. SEC. 3. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter.

Duration.

When to take effect. SEC. 4. This Act shall take effect immediately on its approval.

Approved December 20th, A. D. 1893.

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No. 435. AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF TRAVELERS REST, IN GREENVILLE COUNTY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the town of Travelers Rest, in Greenville County," approved December 23d, 1891, be, and the same is hereby, amended so as to read as follows : That all citizens of the United States who now are, or hereafter may be, inhabitants of the town of Travelers Rest, in Greenville County, shall be deemed, and are hereby declared to be, a body politic and corporate ; that said town shall be known by the name of Travelers Rest, and the limits of said town shall be as follows : Beginning at the depot of the Carolina, Knoxville and Western Railway, running Northward to McAlhany road ; thence with said McAlhany road to intersection with Buncombe road ; thence up said Buncombe road to a point one-half mile from depot of Carolina, Knoxville and Western Railway ; thence Eastward and Southward one-half mile from said depot of said Carolina, Knoxville and Western Railway Company ;

A. A. 1891, 81, 20 Stat., 1278, amended.

Incorporation.

Name and limits.

thence Westward to McAlhany road, which shall constitute Western and Northwestern boundary, provided that no point on said McAlhany road shall exceed in distance one-half mile from said depot, or shall the limit extend beyond said McAlhany road at any point thereon: *Provided*, That no spirituous or intoxicating liquors be sold within the corporate limits of said town. A. D. 1893. Sale of liquors prohibited.

SEC. 2. That so much of all Acts or parts of Acts that are inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

Approved December 20th, A. D. 1893.

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AN ACT TO AMEND SECTIONS 3 AND 4 OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN GREENVILLE COUNTY AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SCHOOL TAX THEREIN," APPROVED DECEMBER 26TH, 1885, RELATING TO THE LEVYING OF A TAX AND THE ELECTION OF TRUSTEES, AND ADDING ANOTHER SECTION TO BE KNOWN AS SECTION 9, PROVIDING FOR THE COLLECTION OF SAID TAX BY THE CITY TREASURER OF GREENVILLE. No. 436.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to provide for the establishment of a new school district in Greenville County and to authorize the levy and collection of a school tax therein," approved December 26th, 1885, be, and the same is hereby, amended by striking out all of said Section after the word "provisions" on the fifth line thereof and inserting in lieu thereof the following: "The tax of two mills on the dollar which was voted and levied by the citizens of said school district returning real or personal property therein, at a meeting called by the Trustees of said district in the month of June, 1893, shall remain unchanged and be levied by said Trustees during the month of June each year, of which levy they shall give the Auditor of said County written notice on or before the 15th day the next July, and shall be assessed and collected each year without further notice, as now provided by this Act, and appropriated for the maintenance and support of the public schools in said district, unless twenty or more citizens of said school district returning

A. A. 1885, 19 Stat., 382, amended. Amendment.

A. D. 1893.

real or personal property therein for taxation shall, on or before the first day of June of any year, sign and present a petition addressed to the Trustees of said school district asking that a meeting of the citizens of said school district returning real or personal property therein for taxation be called for the purpose of reducing or increasing said tax. In case such petition shall be presented, said Trustees shall issue a call for a public meeting to be held in the month of June, on or before the 30th day of said month, of all those citizens of said school district returning real or personal property therein for taxation. Such notice shall be published in at least one newspaper and posted in two public places in said district for at least two weeks before such meeting, and shall specify the place and object of said meeting. When the persons answering the above description shall have assembled in public meeting they shall have power to select a chairman and secretary, adjourn from time to time, decide what tax shall be levied, if any, and appropriate the same in such manner as they may think best for the educational interests of said school district: *Provided,* That no tax levied shall be repealed at any subsequent meeting within the same year. The tax so voted at such meeting shall remain unchanged unless it shall be changed at a meeting called as herein above provided." So that said Section when amended shall read as follows:

Annual school tax.

That in addition to the rights and privileges hereinbefore granted, the said school district shall have power to levy, on all real and personal property returned in said district, a tax not exceeding three mills on the dollar, subject to the following provisions: The tax of two mills on the dollar which was voted by the citizens of said school district returning real and personal property therein at a meeting called by the Trustees of said district in the month of June, 1893, shall remain unchanged and be levied by said Trustees during the month of June each year, of which levy they shall give the Auditor of said County written notice on or before the 15th day of the next July, and shall be assessed and collected each year without further notice, as now provided in this Act, and appropriated for the support and maintenance of the public schools of said school district, unless twenty or more citizens of said school district returning real or personal property therein for taxation shall, on or before the first day of June of any year, sign and present a petition addressed to the Trustees of said school district asking that a meeting of the citizens of said school district returning real or

Tax levy fixed.

Notification, assessment and collection.

Petition for meeting to consider change.

A. D. 1893.

personal property therein for taxation be called for the purpose of reducing or increasing said tax. In case such petition shall be presented, said Trustees shall issue a call for a public meeting, to be held in the month of June, on or before the 30th day of said month, of all those citizens of said school district returning real or personal property therein for taxation. Such notice shall be published in at least one newspaper and be posted in two public places in said district for at least two weeks before such meeting, and shall specify the place and object of such meeting. When the persons answering the above description shall have assembled in public meeting they shall have power to select a chairman and secretary, adjourn from time to time, decide what tax shall be levied, if any, and appropriate the same in such a manner as they shall think best for the educational interest of said school district: *Provided*, That no tax levied shall be repealed at any subsequent meeting within the same year. The tax so voted at such meeting shall remain unchanged, unless it shall be changed at a meeting called as hereinbefore provided.

Meeting of taxpayers.

Notice of meeting.

Powers of meeting.

Repeal of tax.

Change in tax levy.

SEC. 2. That Section 4 of said Act be, and the same is hereby, amended by striking out all of said Section to the words "in addition," on the twelfth line thereof, and inserting in lieu of the words so stricken out the following: "That there shall be a Board of six Trustees for said school district, one from each of the wards of the city of Greenville. Said Board of Trustees shall be elected at a general municipal election, to be held on the third Tuesday in June, 1894, and on the same day of each alternate year thereafter, to be held at the City Hall of the city of Greenville. The Trustees shall order said election and publish a notice of the same for two weeks previously thereto in one or more of the newspapers published in the city of Greenville, and appoint managers thereof, who shall be sworn and shall conduct said election according to rules and regulations prescribed for conducting municipal elections in the city of Greenville, and who shall, the day after said election, certify the same to the Board of Trustees, depositing the ballot box containing the ballots with the Chairman of said Board, and the persons so elected shall hold their office for two years and until their successors are elected." So that said Section as amended shall read as follows:

Section 4 amended.

SECTION 4. There shall be a Board of six Trustees for said school district, one from each of the wards of the city of Greenville. The said Board of Trustees shall be elected at a general

Board of Trustees.

Election of Board.

A. D. 1893.

municipal election to be held on the third Tuesday in June, 1894, and on the same day of each alternate year thereafter, to be held at the City Hall of the city of Greenville. The Trustees shall order said election and publish a notice of the same for two weeks previously thereto in one or more of the newspapers published in the city of Greenville, and appoint managers thereof, who shall be sworn and shall conduct said election according to the rules and regulations prescribed for conducting municipal elections in the city of Greenville, and who shall, the day after said election, certify the same to the Board of Trustees, depositing the ballot box containing the ballots with the Chairman of said Board, and the persons so elected shall hold their office for two years and until their successors are elected; and in addition to the duties and responsibilities now provided by law for Trustees of school districts, shall have the following powers and duties: (1) To purchase and erect suitable buildings for the use of the public schools of said school district. (2) To elect and dismiss superintendents and teachers of the city schools, prescribe their duties, terms of office, and to fix their salaries, and to cause an examination of said teachers to be made whenever necessary; also, to determine the class books and studies to be used in said schools, and to make rules and regulations for the government of said schools. (3) To determine the manner in which the tax heretofore authorized (and the two mills Constitutional and poll tax provided by law) shall be expended in maintaining said public schools; and (4) To fill all vacancies occurring in said Board of Trustees by death, resignation, removal or otherwise, during their term of office or service.

Conduct of election.

Declaration of result.

Term of office.

Their duties.

Buildings.

Teachers.

Studies.

Application of tax.

Vacancies.

Additional Section.

That the following Section, to be known as Section 9, be added to said Act:

Collection of tax.

SECTION 9. That on and after January, 1895, the special school tax herein provided for shall be collected by the Treasurer of the city of Greenville at the same time and in the same manner as the municipal taxes are collected, and shall be protected by the bond of the said City Treasurer, and shall be paid out by him upon the warrant signed by the Chairman and countersigned by the Secretary of the Board of School Trustees of said school district.

Disbursement.

Approved December 20th, A. D. 1893.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF HAMPTON COUNTY TO OPEN AND CONSTRUCT A PUBLIC HIGHWAY ACROSS COOSAWHATCHIE SWAMP," AND TO PUT INTO THE GENERAL COUNTY FUND ALL MONEYS COLLECTED UNDER SAID ACT.

A. D. 1893. No. 437.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to authorize the County Commissioners of Hampton County to open and construct a public highway across Coosawhatchie Swamp," approved December 23d, A. D. 1885, be, and the same is hereby, repealed.

A. A. 1885, 19 Stat., 183, repealed.

SEC. 2. That all moneys now in the hands of the County Treasurer raised for the purpose of opening and constructing said highway be put into the general County fund and expended for general County purposes.

Application of tax raised for road.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

Approved January 4th, A. D. 1894.

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A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTAIN TEACHERS IN SCHOOL DISTRICT NO. 10 IN HAMPTON COUNTY.

No. 438.

*Whereas* the Trustees of School District Number Ten of Hampton County have, under a misapprehension of the amount of school funds applicable to their said school district, employed teachers for said school district during the past school year who have rendered their services under said employment of the Trustees, and the sum of one hundred and eighty dollars is now due to said teachers; and whereas a fund of four hundred dollars is now on hand applicable to past due school claims in the County of Hampton;

Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Hampton County be, and he is hereby, authorized and directed to approve the certificates of

Certificates to be approved.

A. D. 1893.

said teachers and to direct the same to be paid out of said funds: *Provided,* That in the future distributions of the school funds for the said County of Hampton this amount shall be deducted from the sum the said School District Number Ten would otherwise have been entitled to receive.

Proviso.

Approved January 4th, A. D. 1894.

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NOTE.—For Act relating to Trial Justice at Yemassee, in Hampton County, see ante Act No. 384, p. 559.

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No. 439. AN ACT TO PROVIDE A SINKING FUND FOR THE REDEMPTION OF THE COUPON BONDS ISSUED BY CERTAIN TOWNSHIPS IN HORRY COUNTY IN AID OF THE CONSTRUCTION OF THE WILMINGTON, CHADBOURN AND CONWAY RAILROAD.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be assessed, levied and collected, annually, a special tax of two mills on the dollar on all taxable property in the townships of Bayboro, Green Sea, Sampson's Creek and Conway, respectively, in Horry County, at the times and in the manner other taxes are collected, to raise a sinking fund for the final redemption of those certain coupon bonds issued heretofore by the County Commissioners of said County, in behalf of the said townships, respectively, in aid of the construction of the Wilmington, Chadbourn and Conway Railroad, under authority of an Act of the Legislature entitled "An Act to incorporate the Wilmington, Chadbourn and Conway Railroad Company," approved December the 24th, 1885, confirmed by an Act approved December 23d, A. D. 1887.

Sinking fund tax.

For redemption of railroad aid bonds.

19 Stat., 202.

19 Stat., 1041.

SEC. 2. That no Treasurer's commissions, or other burdens, shall be incurred by the said sinking fund so raised and to be raised, but the annual sum realized from each of said townships shall be placed in some safe bank to the credit of the County Commissioners and their successors in office by said Treasurer for and in behalf of each of said townships, respectively, in the savings department of such bank, or at such rate of interest as may be just and lawful; the fund realized from each township to be kept separate for such township to meet the bonds issued on its behalf as aforesaid.

No charges allowed.

Deposit in bank.

To be kept separate.

A. D. 1893.

SEC. 3. That the County Commissioners are authorized and required to purchase from time to time, as they can, as many of said bonds for any of said townships as such townships may have funds sufficient therefor, and to collect the semi-annual interest on such purchased bonds, and to deposit such interest as an addition to said sinking fund on behalf of such townships, respectively, and to pay up and cancel all of said bonds at maturity, or when sufficient funds be on hand therefor: *Provided*, That the County Commissioners shall not pay more than par value for any of the said bonds at any time.

Purchase of bonds.

Collection and deposit of interest.

Price of bonds.

Approved January 4th, A. D. 1894.

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No. 440.

A JOINT RESOLUTION TO AUTHORIZE THE COMPTROLLER-GENERAL TO DRAW HIS WARRANT AND THE STATE TREASURER TO PAY THE SAME TO S. HICKMAN FOR $227 60-100 FOR NULLA BONA COSTS ON CERTAIN TAX EXECUTIONS DUE R. G. SESSIONS, LATE SHERIFF OF HORRY COUNTY.

Preamble.

*Whereas* under the Act of December 24th, 1888, and prior to the repeal of the provisions thereof to allow Sheriffs *nulla bona* costs, R. G. Sessions, late Sheriff of Horry County, by *nulla bona* returns and mileage on tax executions in Horry County, became lawfully entitled to the sum of two hundred and twenty-seven 60-100 dollars, payable by the State by the provisions of said Act, the services having been rendered after the 24th of December, 1888, and prior to 24th December, 1889; *and whereas* the said R. G. Sessions, having in his hands about that sum of money received for County taxes, retained the same for said claim against the State, honestly believing that he had a right to do so, and soon thereafter died insolvent and intestate, leaving a helpless family, and leaving his sureties on his official bond liable to Horry County for said tax money received as aforesaid; *and whereas* said official bond is about to be sued against said sureties, and this claim was approved and ordered paid by the Senate at the last session, as may be seen by the Journal, pp. 327 and 347, but for want of time failed in the House. Now, therefore,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller-General be authorized and required to draw his

Warrant to be drawn and paid.

A. D. 1893.

warrant and the State Treasurer to pay the same in favor of S. Hickman, surety, for himself and other sureties on the official bond of R. G. Sessions, deceased, for two hundred and twenty-seven 60-100 dollars, for *nulla bona* costs and mileage of said Sheriff on tax executions from 24th December, 1888, to 24th December, 1889, to pay and discharge the claim of Horry County against said Sheriff for tax funds collected by said Sheriff and not turned into the treasury of said County, any surplus to any other demand against said sureties as such on account of moneys due officially by said Sheriff.

For $227.60.

Surplus.

Approved December 18th, A. D. 1893.

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NOTE.—For Act relating to terrapin in Horry County, see ante Act No. 381, p. 553.

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No. 441. AN ACT TO AUTHORIZE AND DIRECT THE COUNTY COMMISSIONERS OF KERSHAW COUNTY TO ASCERTAIN BY BALLOT, AT THE NEXT GENERAL ELECTION, THE WILL OF THE VOTERS OF KERSHAW AS TO THE ERECTION OF A NEW COURT HOUSE AND JAIL AND TO CARRY OUT THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Kershaw are hereby authorized and required to prepare a box to be placed at each polling precinct in said County at the next general election in which votes shall be cast by the qualified voters of said County for or against the erection of a new court house and jail in the city of Camden, in the County aforesaid.

Box at every precinct.

Vote as to new Court House.

SEC. 2. That the ballots to be used at said election shall have either written or printed thereon the words "For Court House and Jail," and "Against Court House and Jail;" and if the result of said election, which shall be declared by the County Board of Canvassers, shall be in favor of the erection of a new court house and jail, the said County Commissioners are authorized and directed to issue 7 per cent. bonds, not to exceed twenty thousand dollars, for the purpose of erecting said court house and jail, which said bonds shall run for a period of twenty years, and their coupons shall be receivable for County taxes.

Form of ballots.

Issue of bonds.

Coupons receivable for taxes.

A. D. 1893.

SEC. 3. That the said County Commissioners are authorized and empowered, if the result of said election is declared in favor of the erection of a new court house and jail, to sell and dispose of the present court house and jail and the lots whereon they are located, at public outcry, after due advertisement of sale in all the newspapers published in the city of Camden for the period of twenty-one days; that said sale shall be upon terms as the Board of County Commissioners may deem best, and the proceeds of sale shall be used to supplement the aforesaid sum of twenty thousand dollars.

Sale of Court House and Jail.

Terms of sale.

Proceeds.

SEC. 4. That if the result of said election is in favor of the erection of a new court house and jail, the said County Commissioners are authorized and required to advertise for proposals for the erection of said buildings in one or more of the daily newspapers published in this State, and shall award said contract to the lowest responsible bidder, and to require the party to whom the contract is awarded to enter into bond, in such amount as they may deem proper, to insure the faithful performance of the contract.

Erection of new buildings.

Accepted bidder.

Approved December 23d, A. D. 1893.

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AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ABOLISH THE OFFICE OF MASTER IN KERSHAW COUNTY" AND RE-ESTABLISH SAID OFFICE OF MASTER. No. 442.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to abolish the office of Master of Kershaw County," approved December 24th, A. D. 1891, be, and the same is hereby, repealed.

A. A. 1891, 20 Stat., 1891, repealed.

SEC. 2. That there shall be appointed, by the Governor, in and for the County of Kershaw one Master, who shall not be required to give any official bond.

Governor to appoint Master.

SEC. 3. That said Master shall have all the powers and perform all the duties now devolved by law upon Masters, except the making of sales of property; that all laws regulating public and judicial sales in the Counties in which the office of Master does not exist shall remain of force in said County of Kershaw.

Powers and duties.

Judicial sales.

SEC. 4. That this Act take effect immediately upon its approval.

When to take effect.

Approved December 20th, A. D. 1893.

A. D. 1893.

No. 443.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF KERSHAW COUNTY TO DRAW THEIR WARRANT IN FAVOR OF J. A. McDOWELL FOR FIFTY DOLLARS FOR SERVICES AS A MEMBER OF THE BOARD OF JURY COMMISSIONERS UPON THE TREASURER OF KERSHAW, AND TO REQUIRE THE SAID TREASURER TO PAY SAME.

Preamble. *Whereas* J. A. McDowell, by virtue of being Chairman of the Board of County Commissioners for Kershaw County, is a member of the Board of Jury Commissioners, and has served as such during the years 1891, 1892 and 1893, and has received no compensation therefor;

Warrant to be drawn. SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Kershaw County are authorized and required to draw their warrant upon the Treasurer of Kershaw County for the sum of fifty in favor of J. A. McDowell for services rendered as a member of the Board of Jury Commissioners for Kershaw County during the years 1891, 1892, 1893, and the County Treasurer of said County is hereby authorized and required to pay same out of any funds in his hands.

For $50.

And paid.

Approved December 18th, A. D. 1893.

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No. 444. A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY TREASURER OF KERSHAW TO PAY JAMES L. HAILE THE SUM OF TWO HUNDRED AND TEN DOLLARS.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, *That whereas* James L. Haile, as Sheriff of Kershaw County, paid to the Treasurer of said County the sum of two hundred and ten dollars between the 1st day of January, 1892, and the 24th day of December, 1892, the same being fees collected by him in civil cases as required by an Act approved December 24th, 1891, entitled "An Act to provide for the payment of salaries to the Sheriff and Clerk of Court of Common Pleas and General Ses-

Recital.

20 Stat., 1890.

sions and the School Commissioner of Kershaw County"; *and whereas* it was not intended that the said Sheriff should pay over fees collected in civil cases, the Treasurer of the said County of Kershaw is authorized and directed to repay to the said James L. Haile the said sum of two hundred and ten dollars out of any funds in his hands. A. D. 1893. Treasurer to make repayment.

Approved December 22d, A. D. 1893.

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AN ACT TO REGULATE THE SALARIES OF TRIAL JUSTICE AND CONSTABLE OF FLAT CREEK TOWNSHIP, IN LANCASTER COUNTY. No. 445.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Trial Justice and Constable for Flat Creek Township, in Lancaster County, shall each hereafter receive a salary of fifty dollars per annum instead of thirty-five dollars per annum as heretofore provided by law. Salaries.

SEC. 2. That all fees, costs and fines collected by them in criminal cases shall be by them turned over to the County Treasurer of Lancaster County. Payment of fees, &c.

SEC. 3. This Act shall not interfere with costs and fees to which said Trial Justice and Constable are, or may be, entitled in civil causes. Fees in civil cases.

SEC. 4. All Acts and parts of Acts inconsistent with this Act are hereby repealed. Repealing clause.

Approved December 22d, A. D. 1893.

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AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT AT CROSS HILL, IN LAURENS COUNTY, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN. No. 446.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of maintaining public schools in the town of Cross Hill School District established.

A. D. 1893.

Cross Hill, in Laurens County, the County Board of Examiners of Laurens County be, and they are hereby, authorized and required to lay off a separate school district, the limits of which shall extend three miles square, taking as a central point the present depot of the Georgia, Carolina and Northern Railroad, so that the limits thereof shall form a square.

Limits.

Name, incorporation.

SEC. 2. That the said district shall be known as the Cross Hill School District, and shall be a body politic and corporate, with such government, rights, privileges and liabilities as are provided for school districts by the School Law of South Carolina, approved December 24th, A. D. 1888.

Rights and liabilities.

20 Stat., 49.

Annual school tax of 3 mills.

SEC. 3. That in addition to the rights and privileges hereinbefore granted, the said school district shall have power to levy on all real and personal property returned in said district a tax not exceeding three mills on the dollar, subject to the following provisions: The School Trustees of said school district shall at any time previous to the thirtieth (30th) day of January of each fiscal year, upon the written request of twenty property holders, issue a call for a public meeting (after two weeks' notice) of all those citizens who return real or personal property in said district, and said notice shall be published in at least one newspaper and posted in two conspicuous places in said district for at least two weeks before such meeting, and shall specify the time, place and object of said meeting.

Meeting of property holders

Notice of meeting.

Powers of meeting.

SEC. 4. That when the persons answering the above description shall have assembled in public meeting they shall have power: First. To select a Chairman and Secretary, adjourn from time to time, decide what additional tax, if any, shall be levied, and appropriate the same in such manner as they may think best for the educational interests of said school district: *Provided*, That no tax thus levied shall be repealed at a subsequent meeting in the same fiscal year. Second. That they shall also have power to select a Board of seven Trustees for said school district, all of whom shall be residents of said school district, whose term of office shall be two years from the date of election, and who, in addition to the duties and responsibilities now provided by law for Trustees of school districts, shall have the following powers and duties: 1. To purchase or erect suitable buildings for the use of the public schools of said school district. 2. To elect and dismiss superintendents and teachers of the schools, prescribe the duties, terms of office, and to fix their salaries, and to cause an examination of said teachers to be made whenever necessary;

Tax not to be repealed.

Board of Trustees.

Powers of Board.

Buildings.

Teachers.

also to determine the class books and studies to be used in the said schools, and to make rules and regulations for the government of said schools. 3. To determine the manner in which the tax heretofore authorized (and the two mills Constitutional and poll tax provided by law) shall be expended in maintaining said public schools; and 4. To fill all vacancies occurring in said Board of Trustees by death, resignation, removal or otherwise during their term of office or service.

Studies.

Designation of tax.

Vacancies.

SEC. 5. That it shall be the duty of the Chairman and Secretary of said public meeting, within one week after said meeting has been held, to notify the Chairman of the Board of Trustees for said school district, and the Auditor of said County, of the amount of tax thus levied and how it has been appropriated, and the County Auditor shall at once assess such tax on all real and personal property returned in said school district, and the County Treasurer shall collect the same with the State and County taxes, and such tax shall be a lien on all property until paid, and the defaulting taxpayers shall be liable to like process and penalty as defaulters for State and County taxes.

Notification, assessment and collection of tax

Lien.

Penalties.

SEC. 6. That the money collected from such tax levy and the Constitutional poll and two mill tax to which the said district is entitled under the general provisions of the law shall be held by the County Treasurer and paid out on warrants drawn by the Trustees of said school district, countersigned by the County School Commissioner, and said Treasurer shall be liable to said school district for the non-performance of his duty in respect to said money in the same manner and to the same extent and under like penalties as for the non-performance of his duties in respect to State and County taxes: *Provided*, That the School Commissioner of said County and the Trustees of said school district be, and they are hereby, authorized to apply for the fiscal year commencing November 1st, 1892, so much of said money as may be necessary for the purchase or erection of suitable buildings for said public schools.

Disbursement of tax.

Liability of County Treasurer.

Erection or purchase of buildings.

SEC. 7. That Rev. A. M. Hassel, E. G. Simpson, W. P. Turner, J. H. Miller, W. C. Rasor, W. B. Fuller and Tucker Madden are hereby authorized and required to act until the election of the Trustees provided for in this Act.

First Board of Trustees.

SEC. 8. That this Act shall take effect from the date of its passage, and all Acts or parts of Acts inconsistent with this Act are hereby repealed.

When to take effect.

Repealing clause.

Approved December 18th, A. D. 1893.

A. D. 1893. No. 447.

AN ACT TO ESTABLISH A SEPARATE SCHOOL DISTRICT IN THE COUNTY OF LAURENS, TO BE KNOWN AS "HURRICANE ACADEMY," AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all of that territory lying within the limits of a square the centre whereof is Hurricane Academy, in the County of Laurens, and each side of said square to be five miles, be, and the same is hereby, created a separate school district, to be known as Hurricane Academy.

School district created.

Name.

Incorporation, rights and liabilities.

SEC. 2. That said school district is hereby created a body politic and corporate, with all of the rights, powers, privileges and liabilities as are provided for school districts by the General School Law of South Carolina and as are set forth in an Act entitled "An Act to provide for the establishment of separate school districts in the several cities, incorporated towns and villages in this State, to authorize the levy and collection of special taxes therein, and to authorize the levy and collection of special taxes in the several school districts now formed, or hereafter to be formed, outside of cities, incorporated towns and villages," approved December 24th, A. D. 1888.

20 Stat., 49.

Approved January 4th, A. D. 1894.

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No. 448. AN ACT TO AMEND SECTION ONE OF AN ACT ENTITLED "AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF THE TOWN OF LAURENS TO SUBMIT TO THE QUALIFIED VOTERS THE QUESTION OF ISSUING BONDS FOR THE USE OF SAID SCHOOL DISTRICT," APPROVED DECEMBER 24TH, 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of said Act be amended by striking out in the eleventh line thereof the words "one mill" and inserting in lieu the words "one-half mill." So that said Section when amended shall read as follows:

A. A. 1891, 81, 20 Stat., 1409, amended.

A. D. 1893.

SECTION 1. That the Board of Trustees of the School District of the Town of Laurens are hereby empowered to submit to the qualified voters resident in said school district, at an election to be held for that purpose, after at least ten days' public notice, the question of authorizing the issue of bonds not exceeding the amount of ten thousand dollars, bearing not exceeding seven per cent. interest, and payable in twenty years, and the levy of an annual tax of one-half mill to pay the interest on said bonds. The Board of Trustees is hereby empowered to fix rules and hours for holding said election, to appoint three managers to conduct said election and declare the results, and is authorized to execute, sell and deliver the said bonds in the event the majority of the persons voting at said election shall vote in favor of the same: *Provided*, That said bonds shall not be sold for less than par value; the proceeds realized from the sale of which bonds shall be used by said Trustees in purchasing or erecting suitable school buildings, in repairing or improving school buildings and in providing suitable furniture and apparatus for same. That the interest annually accruing upon said bonds shall be paid by the County Treasurer out of the proceeds of said special tax. Any surplus remaining after the payment of the annual interest shall be applied, under the direction of said Board of Trustees, to the reduction of the bonds so issued by said school district.

Election by voters.

As to issue of bonds.

Limit.

Tax for interest.

Conduct of election.

Issue and sale of bonds.

Application of proceeds.

Buildings, &c.

Payment of interest.

Surplus.

Approved December 20th, A. D. 1893.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A NEW SCHOOL DISTRICT IN A PORTION OF THE TOWNSHIPS OF SCUFFLETOWN, YOUNG AND LAURENS, IN THE COUNTY OF LAURENS, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SCHOOL TAX THEREIN," APPROVED DECEMBER 24TH, 1891, SO AS TO FIX THE AREA EMBRACED IN AND TO NAME SAID SCHOOL DISTRICT.

No. 449.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section one of an Act entitled "An Act to establish a new school district in a portion of the townships of Scuffletown, Young and Laurens, in the County of Laurens, and to authorize

A. A. 1891, 81, 20 Stat., 1412, amended.

A. D. 1893.

the levy and collection of a school tax therein," approved December 24th, 1891, be, and the same is hereby, amended by

Amendment.

inserting after the words "to wit," on the seventh line of said Section, the following: "Beginning at Ora, in said County, as a central point, thence East one and one-half miles, thence North two miles, thence South four miles, thence West three miles, thence North three and one-fourth miles to Warrior Creek, thence down said creek to the Northeast corner on said creek, be, and the same is hereby, created a special school district in said County, to be known as 'Ora School District.'" So that said Section as amended, after the enacting words, shall read as follows:

Area of Ora School District.

SECTION 1. That for the purpose of maintaining a public school in a portion of Scuffletown, Young and Laurens Townships, in the County of Laurens, in this State, the area embraced in the following lines and boundaries, to wit, beginning at Ora, in said County, as a central point, thence East one and one-half miles, thence North two miles, thence South four miles, thence West three miles, thence North three and one-fourth miles to Warrior Creek, thence down said creek to the Northeast

Creation and name.

corner on said creek, be, and the same is hereby, created a special school district in said County, to be known as "Ora School District."

Approved December 23d, A. D. 1893.

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No. 450. A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE PAYMENT OF THE SCHOOL CLAIM OF MARY E. TEMPLETON.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Pay certificate for $60 to issue.

the School Commissioner of the County of Laurens be, and he hereby is, directed to issue to Mary E. Templeton a pay certificate for the sum of sixty dollars for services rendered by her as teacher in the public schools of said County during the year 1885.

Payment ordered.

SEC. 2. That the County Treasurer of said County be, and he hereby is, directed and required to pay to the said Mary E. Templeton, upon the presentation of said certificate, said amount out of the general school fund of said County.

Approved January 4th, A. D. 1894.

AN ACT TO AUTHORIZE AND PERMIT THE COUNTY COMMISSIONERS OF LEXINGTON COUNTY TO OPEN AND CONSTRUCT A PUBLIC HIGHWAY.

A. D. 1893.

No. 451.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lexington County be, and they are hereby, authorized and permitted to open and construct a public road from the public road known as the Clark's Mill road, commencing at some most convenient point on said road, not more than two miles from Clark's Mill, through and by the mills of Isaiah Roof, thence by the mills of H. O. Kinsler in a direct line to intersect the public road at Brooklyn, in said County of Lexington, and for this purpose are authorized to call out such persons as are liable by law to work on public highways, and to expend such sum of money as in their judgment is necessary to complete said road.

Clark's Mill Road to be opened.

Route of road.

Work on the road.

Expense.

Approved January 4th, A. D. 1894.

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AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF LEXINGTON COUNTY TO DISCONTINUE A PUBLIC ROAD LEADING FROM THE TOWN OF PEAK TO THE COLUMBIA AND MAYBINTON ROAD, AND TO AUTHORIZE THE COUNTY COMMISSIONERS OF OCONEE COUNTY TO DISCONTINUE A CERTAIN ROAD IN SAID COUNTY.

No. 452.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lexington County be, and they are hereby, authorized to discontinue working and repairing, in any manner whatsoever, the public road leading from the town of Peak, in said County, to the Columbia and Maybinton public road, also in said County.

Work to be discontinued in Lexington.

SEC. 2. That the County Commissioners of Oconee County be, and they are hereby, authorized and empowered to discontinue working and repairing, in any manner whatever, the public road leading from near Smeltzer School House by J. H. Wiggington's and over the Smeltzer Mountain.

Work to be discontinued in Oconee.

Approved January 4th, A. D. 1894.

A. D. 1893. No. 453. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AND CHANGE THE CHARTER OF THE TOWN OF LEXINGTON," APPROVED DECEMBER 20TH, A. D. 1881.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section fourteen (14) of an Act entitled "An Act to amend and change the charter of the town of Lexington," approved December 20th, A. D. 1881, be so amended as to read as follows:

A. A. 1881, 814, 17 Stat., 664, amended.

Annual tax.

SECTION 14. That the said Town Council shall have power to impose an annual tax upon all real and personal property within the limits of said town; and that said tax so imposed shall be collected and enforced in like manner and form as the State and County taxes are collected and enforced, the Treasurer of said town acting in the place of the County Treasurer, and the Marshal of said town acting in the place of the County Sheriff: *Provided*, Said tax does not exceed the sum of fifteen cents on the one hundred dollars of taxable property: *Provided, further*, That the Clerk of said town shall give fifteen days' notice previous to the date for the opening of his books for taking tax returns, and the Treasurer of said town shall give fifteen days' notice previous to the date of opening his books to receive the taxes due. The time for assessing and collection of said taxes to be fixed by the Town Council.

Limit.

Notice by Treasurer.

Times.

Approved January 4th, A. D. 1894.

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No. 454. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF CHAPIN," APPROVED 24TH DECEMBER, 1889.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to incorporate the town of Chapin," approved 24 December, 1889, be amended by adding to Section 4 the following proviso: *Provided*, That this Section shall not apply to the sale of distilled or malt liquor by a Dispensary, or any agent or officer of or under the control of the County or State. So that said Section when amended shall read as follows:

A. A. 1889, 84, 20 Stat., 553, amended.

A. D. 1893.

SECTION 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the town of Chapin, in the County of Lexington : *Provided*, That this Section shall not apply to the sale of distilled or malt liquors by a Dispensary, or any agent or officer of or under the control of the County or State.

Liquor licenses prohibited.

Dispensary excepted.

Approved January 4th, A. D. 1894.

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AN ACT TO INCORPORATE THE TOWN OF SWANSEA, IN LEXINGTON COUNTY. No. 455.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are, or hereafter may be, inhabitants of the town of Swansea shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Swansea, and its limits shall extend one-half of one mile in every direction from the depot of the South Bound Railroad.

Incorporation.

Name and limits.

SEC. 2. Said town of Swansea shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporations of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.

Rights and liabilities.

19 Stat., 174.

SEC. 3. That the sale of spirituous, malt or intoxicating liquors be, and the same is hereby, prohibited within the corporate limits of said town.

Sale of liquors prohibited.

SEC. 4. That the election of Intendant and Wardens of said town shall be held on the second Tuesday in January of each year till otherwise provided by law.

Election of Intendant and Wardens.

SEC. 5. That for the purpose of first election for Intendant and Wardens of said town, W. B. Ross, C. H. Corbitt and John H. Wise be, and they are hereby, appointed managers to conduct said election, and said managers shall give ten days' public notice of such election by posting same in three conspicuous places in said town or by publication in some newspaper published therein.

First election.

A. D. 1893.
Public Act. Duration.

SEC. 6. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter.

When to take effect.

SEC. 7. That this Act shall take effect immediately upon its approval.

Approved December 20th, A. D. 1893.

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No. 456. AN ACT FOR THE ESTABLISHMENT OF A SEPARATE SCHOOL DISTRICT IN THE COUNTY OF LEXINGTON, TO BE KNOWN AS "THE SWANSEA SCHOOL DISTRICT."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Area of school district.

all that territory lying within the following boundary, to wit: Starting at Knotts' Mills, and thence by Bull Swamp and up Third Branch to Redmond's Mill, then up Pine Plain road till it intersects the Platt Springs Township line, and along said line till it crosses the Jones road, then down said road to Daniel Jefcoat's field, thence on to Knotts' Mill in a straight line, be, and

Creation and name.

the same is hereby, created as a separate school district in said County, to be known as Swansea School District.

Incorporation.

SEC. 2. That said school district is hereby created a body

Rights and liabilities.

politic and corporate, with all the rights, powers, privileges and liabilities as are provided for school districts by the General School Law of South Carolina, and as are set forth in an Act

20 Stat., 49. [Should be 1888]

entitled "An Act to provide for the establishment of separate school districts in several cities, incorporated towns and villages in this State, to authorize the levy and collection of special taxes therein, and to authorize the levy and collection of special taxes in the several school districts now formed or hereafter to be formed outside of cities, incorporated towns and villages," approved December 24th, A. D. 1890.

Approved December 20th, A. D. 1893.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A NEW SCHOOL DISTRICT TO EMBRACE THE CORPORATE LIMITS OF THE TOWN OF LITTLE MOUNTAIN, IN NEWBERRY COUNTY, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SCHOOL TAX THEREIN," APPROVED DECEMBER 24TH, A. D. 1892.

A. D. 1893.
No. 457.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to establish a new school district to embrace the corporate limits of the town of Little Mountain, in Newberry County, and to authorize the levy and collection of a school tax therein," approved December 24th, A. D. 1892, be, and the same is hereby, amended by striking out Section 7 and inserting the following, to be known as Section 7:

A. A. 1892, 87, ante 320, amended.

SECTION 7. That the County Auditors of Newberry and Lexington Counties shall report to the Treasurer of each County all moneys arising from the school taxes which said school district shall be entitled to under the general provisions of law, and the said County Treasurer shall pay out the same upon the warrant of the Board of Trustees for said special district, countersigned by the respective School Commissioners of each County. And for the purpose of maintaining a school or schools in said school district for the present fiscal year, each of said Treasurers of the Counties of Newberry and Lexington shall pay to said Chairman of said Board of Trustees in like manner the school tax and poll tax which they, or either of them, have collected or may collect from persons or on property within said school district.

Report by County Auditors.

Payment of school funds.

Disbursement for present year.

SEC. 2. That this Act shall take effect immediately upon its approval.

When to take effect.

Approved January 4th, A. D. 1894.

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A JOINT RESOLUTION TO AUTHORIZE THE COUNTY TREASURER OF MARION COUNTY TO REFUND TO D. F. MILES, LATE TREASURER OF SAID COUNTY, THE SUM OF $259.92.

No. 458.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Marion be, and the

Warrant to be drawn.

A. D. 1893.

same are hereby, directed to draw, in favor of D. F. Miles, late Treasurer, their warrant on the present County Treasurer for the sum of two hundred and fifty-nine 92-100 dollars, and the said Treasurer is hereby directed to pay the same out of any funds available for ordinary County purposes, the said sum having been overpaid by said Miles while Treasurer, as appears by Report of the Comptroller-General, 1891–1892.

And paid.

Approved December 22d, A. D. 1893.

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NOTE.—For Act relating to traffic in seed cotton in Marion County, see ante Act No. 420, p. 616.

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No. 459. A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF THE VARIOUS PAST DUE SCHOOL CLAIMS IN MARLBORO COUNTY FOR THE YEAR ENDING 31ST OCTOBER, 1892.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following past due school claims in Marlboro County be approved and ordered paid by the School Trustees of the school districts where the same accrued, and that the County Treasurer of said County be, and is hereby, authorized and required to pay said claims out of any funds now on hand, or hereafter to be apportioned for and to the school districts, respectively, against which said claims are chargeable, to wit:

School claims approved and to be paid.

| | | DISTRICTS. | |
|---|---|---|---|
| Names, districts and amounts. | To Miss Eliza Rogers, | Red Hill, | thirty dollars. |
| | " Miss Sallie Cook, | " | twenty-five dollars. |
| | " Mr. R. H. Breeden, | " | fifteen dollars. |
| | " Miss Marion Wallace, | Adamsville, | twenty-two 50-100 dollars. |
| | " Miss Lucy A. Benton, | " | thirty dollars. |
| | " Mr. J. L. Quick, | Smithville, | twenty-five dollars. |
| | " Mr. L. L. Goodwin, | Smithville, | seven dollars. |
| | " Miss Vance Odom, | Smithville, | twelve 52-100 dollars. |
| | " Mr. Ebbie Stanton, | Brightsville, | thirty dollars. |
| | " Mr. J. D. McRae, | Red Hill, | twelve 50-100 dollars. |

Term of service.

All of said claims being for services of said persons as teachers in the public schools of said districts, respectively, for the fiscal year ending 31st of October, A. D. 1892.

Approved January 4th, A. D. 1894.

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF BLENHEIM, IN THE COUNTY OF MARLBORO. A. D. 1893. No. 460.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the corporate limits of the village of Blenheim, in the County of Marlboro, be, and hereby are, extended one-eighth of a mile further East, so as to include the Mineral Spring, and one-fourth of a mile further South, so as to include Holy Rood Cemetery. Limits of the village.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed. Repealing clause.

Approved January 4th, A. D. 1894.

NOTE.—For Act relating to traffic in seed cotton in Marlboro County, see ante Act No. 420, p. 616.

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AN ACT TO AMEND THE CHARTER OF THE TOWN OF NEWBERRY. No. 461.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the compensation of the Clerk and Treasurer of the town of Newberry shall be fixed annually by the Town Council before the election of such Clerk and Treasurer. Compensation of Clerk and Treasurer.

Approved January 4th, A. D. 1894.

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AN ACT TO INCORPORATE THE FARMERS MUTUAL INSURANCE ASSOCIATION OF NEWBERRY. No. 462.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That H. H. Folk, L. P. Miller, J. A. Sligh, B. F. Cameron, Walter I. Herbert, and all other persons who may become members thereof, be, and they are hereby, constituted a body politic and Incorporation.

A. D. 1893.

corporate under the name of the "Farmers Mutual Insurance Association of Newberry, S. C.," and under that name shall have all the powers, privileges and franchises incident to such corporation under the laws of the State.

Name.

Powers and privileges.

Fire and storm insurance.

SEC. 2. That said corporation shall the right to mutually insure the respective dwelling houses, barns and other buildings of its members, in Newberry County, against loss by fire, winds or lightning, upon such terms, and under such conditions, as may be fixed by the by-laws of said corporation. It may sue and be sued in any Court in this State, and may have and use a common seal.

Suits and seal.

Directors and officers.

SEC. 3. That the said corporation may make by-laws, fixing the number of its Board of Directors and other officers, and defining the duties and powers of the Directors and officers; also making rules and regulations governing the corporation and the conduct of its business, not inconsistent with the laws of this State.

Regulations.

Liability of members.

SEC. 4. That every member of said corporation shall be, and is hereby, bound and obliged to pay his, her or their portion of all losses and expenses accruing to said corporation; and all buildings or other property insured by and with said corporation, together with the rights, title and interest of assured to the lands on which such building or other property may stand, shall be pledged to the said corporation, and the said corporation shall have a lien thereon against the assured, his or her heirs, representatives and assigns, during the continuance of their insurance, as to all debts or liabilities contracted or incurred by said corporation subsequent to the passage of this Act.

Property pledged.

Lien.

Extent of liability.

SEC. 5. All property insured by said corporation shall be liable as herein provided until all outstanding losses shall have been paid, and until the owner thereof shall have withdrawn his insurance in the manner prescribed by the by-laws of said corporation: *Provided, however,* That any transfer of such property shall operate as a release of the same under the provisions of this Act, as to all subsequent liabilities, unless the purchaser or purchasers thereof shall make application to the Board of Directors for a continuance of said insurance within ten days from the date of such transfer, in which event such purchaser or purchasers shall be substituted to all the rights of the vendor under this Act, and the said property shall be held liable as herein provided, and the provisions of this Section shall apply as well to personal representatives and guardians as to purchasers of such property.

Release by transfer.

Rights of purchaser.

A. D. 1893.

SEC. 6. That the aggregate amount of insurance by said corporation shall not be less than ($25,000) twenty-five thousand dollars nor more than ($1,000,000) one million dollars. Limit of amount of insurance.

SEC. 7. That this Act shall be deemed a public Act, and shall go into effect immediately after its approval, and shall continue in force for a period of thirty years. Public Act. Duration.

Approved January 4th, A. D. 1894.

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NOTE.—For Act relating to School District of Little Mountain, in Newberry County, see ante Act No. 457, p. 661.

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AN ACT TO AUTHORIZE AND EMPOWER THE TRUSTEES OF CLEMSON AGRICULTURAL COLLEGE TO AID THE COUNTY COMMISSIONERS OF OCONEE AND PICKENS COUNTIES IN PURCHASING RAVENEL'S BRIDGE, OVER SENECA RIVER, IN OCONEE AND PICKENS COUNTIES. No. 463.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Trustees of Clemson Agricultural College be, and they are hereby, authorized and empowered to aid the County Commissioners of Oconee and Pickens in purchasing from the owners Ravenel's Bridge, over Seneca River, in Oconee and Pickens Counties, and pay for the same out of the funds appropriated by the State to said College: *Provided*, That they do not pay more than fifteen hundred dollars for the same: *Provided, further*, That the State shall not be held liable in any manner whatever for the rebuilding or repairing said bridge. May aid in purchase of bridge. Payment. Price. Liability of State.

Approved January 4th, A. D. 1894.

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NOTE.—For Act discontinuing a road in Oconee County, see ante Act No. 452, p. 657.

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AN ACT TO OPEN A NEW ROAD IN THE COUNTY OF ORANGEBURG. No. 464.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Orangeburg County be, and the Route of road.

A. D. 1893.

same are hereby, empowered to open a new public road leading from the Santee and Orangeburg road at a point near Jericho Church by Lion's Postoffice into the Charleston and Columbia road.

Approved December 20th, A. D. 1893.

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No. 465. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO EMPOWER THE COUNTY COMMISSIONERS OF ORANGEBURG COUNTY TO OPEN A PUBLIC ROAD RUNNING FROM THE FOOT OF RUSSELL STREET, IN THE TOWN OF ORANGEBURG, WESTWARD, AND TO DISCONTINUE THE ORANGEBURG BRIDGE ROAD AS A PUBLIC HIGHWAY," APPROVED THE 24TH DAY OF DECEMBER, 1892.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to empower the County Commissioners of Orangeburg County to open a public road running from the foot of Russell street, in the town of Orangeburg, Westward, and to discontinue the Orangeburg Bridge road as a public highway," approved December 24th, 1892, be, and the same is hereby, amended by adding thereto the following Sections, to be known as Sections 3, 4 and 5:

A. A. 1892, ante 333, amended.

Additional Sections.

Right of condemnation.

SECTION 3. That in case the land necessary for opening said public road cannot be obtained without compensation, the said County Commissioners of Orangeburg County are hereby authorized and empowered to condemn the land necessary therefor and to have the damages of the land owners assessed, and shall proceed in all respects in the opening and laying out of public road hereby provided for in the same manner as is now provided by law for the opening and laying out of public roads and highways by the County Commissioners in this State.

Authorized to borrow money.

SECTION 4. That for the purpose of enabling the said County Commissioners to proceed without delay in opening and completing said public road, they are hereby authorized and empowered to borrow a sum of money sufficient for that purpose, at the lowest rate of interest or discount at which they may be able to obtain the same: *Provided*, That the sum so borrowed shall not exceed five thousand dollars, and at the rate of interest or dis-

Interest.

Limit.

count shall not exceed eight per cent. per annum. And the said County Commissioners of Orangeburg County are hereby authorized and empowered to levy a tax upon all the property in said County of Orangeburg sufficient to repay the amount borrowed and the interest, such tax to be collected at the same time and in the same manner as other taxes are collected in said County. A. D. 1893. Tax levy.

SECTION 5. That this Act shall go into effect immediately upon its approval. When to take effect.

Approved January 4th, A. D. 1894.

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AN ACT TO CREATE THE OFFICE OF COTTON WEIGHERS FOR THE CITY OF ORANGEBURG AND TO FIX THEIR COMPENSATION. No. 466.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be annually elected by the Board of County Commissioners of Orangeburg County two public cotton weighers for the city of Orangeburg, whose duty it shall be to weigh all cotton brought into said city for the purpose of sale; said weighers shall be duly sworn by said County Commissioners, and their term of office shall be for one year and until their successor or successors qualify; *Provided*, That in case a County Board of Road Commissioners is by law substituted for the Board of County Commissioners, they shall have the same power and be required to discharge the same duties hereinbefore imposed upon the County Commissioners. Election of two cotton weighers. Duties. Term. Proviso. See ante 481.

SEC. 2. That each of said weighers shall enter into bond in the sum of $3,000 for the faithful performance of his duties, and shall receive as a compensation for his services ten cents per bale for each bale weighed by him, the same to be paid in equal proportions by the buyer and seller. Bond and compensation.

SEC. 3. Any person, persons, firm, company or corporation buying cotton within the corporate limits of the city of Orangeburg before the same has been weighed by a public weigher shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined and imprisoned. Penalty for buying cotton not weighed.

Approved January 4th, A. D. 1894.

A. D. 1893. No. 467. AN ACT TO INCREASE THE SALARIES OF THE TRIAL JUSTICE FOR THE JUDICIAL DISTRICT EMBRACING THE CITY OF ORANGEBURG, AND OF HIS CONSTABLE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the salary of the Trial Justice for the judicial District embracing the city of Orangeburg shall be four hundred dollars per annum; and the salary of his Constable shall likewise be three hundred dollars.

Salaries.

When to take effect.

SEC. 2. That this Act shall go into effect immediately upon its approval.

Repealing clause.

SEC. 3. All Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 23d, A. D. 1893.

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No. 468. AN ACT TO AUTHORIZE AND EMPOWER THE CITY COUNCIL OF ORANGEBURG TO BORROW MONEY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the City Council of Orangeburg are hereby authorized and empowered in any year to borrow money, as needed, at the lowest rate of interest or discount they can secure, for the cash payment of all ordinary and special expenses of the city government of the city of Orangeburg, as such expenses may become due. And the said City Council of Orangeburg are hereby authorized and empowered to pledge all municipal taxes of said city for the payment of the money borrowed and the interest thereon: *Provided,* That the said City Council shall not in any year borrow an amount of money exceeding the appropriation or tax levy of said city as made or fixed for such year.

Loan authorized.

Purposes.

Pledge of taxes.

Limit to loan.

When to take effect. Duration.

SEC. 2. This Act shall go into effect immediately upon its approval, and shall continue of force until repealed by the General Assembly of the State of South Carolina.

Approved December 23d, A. D. 1893.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF LIVINGSTON, IN THE COUNTY OF ORANGEBURG."

A. D. 1893. No. 469.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Livingston, in the County of Orangeburg," be, and the same is hereby, amended by adding to the end of Section five (5) the words "except as provided and in the manner and under the regulations prescribed by an Act commonly known as the 'Dispensary Act' and the Acts amendatory thereto." So that said Section when so amended shall read as follows:

A. A. 1892, §5, ante 336, amended.

SEC. 5. That no intoxicating liquors of any kind whatsoever shall be sold in the corporate limits of said town, except as provided and in the manner and under the regulations prescribed by an Act commonly known as the "Dispensary Act" and the Acts amendatory thereto.

Sale of liquors prohibited. Except by Dispensers.

Approved January 4th, A. D. 1894.

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AN ACT TO CHANGE THE NAME OF THE TOWN OF PREUITTS, IN ORANGEBURG COUNTY, TO THAT OF "NORWAY."

No. 470.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of the town of Preuitts, in Orangeburg County, be, and the same is hereby, changed to that of "Norway."

Name changed.

SEC. 2. That all citizens of the United States who now are, or hereafter may be, inhabitants of the town of Norway shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Norway, and the limits shall extend half mile in every direction from the depot of the South Bound Railroad Company, so that the limits shall form a circle.

Incorporation. Name and limits.

SEC. 3. That said town of Norway shall be vested with all the rights, powers and privileges granted by, and be subject to all limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporations of the towns

Rights and liabilities.

A. D. 1893. of less than one thousand inhabitants in this State," approved December 23, A. D. 1885.

19 Stat., 174.

Sale of liquors prohibited. SEC. 4. That the sale of spirituous, malt or intoxicating liquors be, and the same is hereby, prohibited within the corporate limits of said town.

Public Act. SEC. 5. That this Act shall be a public Act, and shall continue

Duration. in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter.

When to take effect. SEC. 6. This Act shall take effect immediately on its approval.

Repealing clause. SEC. 7. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 22d, A. D. 1893.

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No. 471. AN ACT TO CHARTER ELLOREE GRADED SCHOOL DISTRICT IN ORANGEBURG COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Creation and name. the Elloree Graded School of Orangeburg County is hereby chartered by the name of "Elloree Graded School District of Orangeburg County, South Carolina."

Limits. SEC. 2. The limits of said school district shall be as follows: A line drawn from the centre of the crossing of Cleveland and Main streets, in the town of Elloree, due North two and one-half miles long; also a line due South two and one half miles long, another East two and one-half miles long, and another due West two and one-half miles long. With these limes as diameters construct a square whose sides shall each be five miles long.

Tax by Trustees. SEC. 3. The Trustees hereinafter named and their successors shall have power to levy, collect and disburse taxes on the

White and colored school. property in said district for the support of two schools, one for whites and one for colored children, located in the town of Elloree.

Board of Trustees. SEC. 4. The following persons shall constitute a Board of Trustees: J. W. Fair, M. J. D. Dantzler, B. A. Shuler, T. B. Bookhandt, Thomas Livingston, J. P. Bruce and Miles Blount,

Term of office. whose term of office shall begin from the passage of this Act and expire on June 1, 1895, or till their successors are elected, as hereinafter provided in this Act.

A. D. 1893.

SEC. 5. These Trustees and their successors are hereby granted, and shall be commissioned by the County Board of Examiners with all the powers and duties of regular District School Trustees, and shall have charge of the disbursement of all funds arising from the poll tax, the Constitutional tax, to which they may be entitled, and the special tax that may be levied on the said district.

Powers and duties.

Disbursement of tax.

SEC. 6. They shall have power to fix the school age of scholars of the said district who shall receive benefit of such funds, and adopt text books for use in said schools; to charge an incidental fee of not more than one dollar per scholar; said fee to be paid before the scholar shall be admitted; such fee to go to the general expense funds of the schools, and such amounts that may be left over from incidental expenses shall be applied to extend the free term of the schools; to charge and collect supplementary tuition fees when necessary for each pupil, according to grade, to supplement the general funds of the schools.

Age of scholars.

Text books.

Fees.

Application of fees.

Supplemental fees.

SEC. 7. They shall determine the time and manner of disbursing all funds arising from the above several sources.

Time and manner of disbursement.

SEC. 8. They shall have power to secure, by purchase, rent or otherwise, suitable buildings for the schools, furniture, fuel, etc.

Buildings.

SEC. 9. They shall hire and secure teachers, fixing their salaries and terms.

Teachers.

SEC. 10. They shall make reports at the close of each term to the County School Commissioner, showing the number of scholars enrolled, average attendance, fees received, and such other information as the Commissioners may desire.

Reports.

SEC. 11. They shall make rules for the general management of the school.

Rules.

SEC. 12. It shall be the duty of the Board to elect a Chairman and a Secretary and Treasurer, and to keep a correct report of the acts of the Board and an accurate account of all funds paid and received.

Officers, report and accounts.

SEC. 13. Said Board shall call a meeting of the resident taxpayers and voters who return property, real or personal, in said district to the amount of $100 or over, on the written request of ten such taxpayers: *Provided*, The meeting be held before June 1st of each year. Said meeting after electing a Chairman and Secretary shall have the right to levy by a majority vote a special tax on all taxable property in said district not to exceed five mills; also to elect a Board of seven Trustees for the following year, and to adjourn from time to time.

Meeting of taxpayers.

Tax levy.

Elections, &c.

A. D. 1893.

Notice of meeting.

SEC. 14. Notice of such meeting must be posted in three conspicuous places in said district, or published in one of the County or local papers at least three times for at least ten days before such meeting; such notices to give the place, time and object of said meeting.

Notification, assessment and collection of tax

Disbursement.

SEC. 15. The Chairman and Secretary of such meeting shall report to the County Auditor within ten days such taxes as may be levied, and it shall be the duty of the Auditor and Treasurer to levy and collect the same on all property within the said district as other taxes, and place the same to the credit of said district, which, with the other school fund of said district, shall be subject to the order of the Chairman and Secretary of the Board of Trustees, endorsed by the County School Commissioners, as in case of other school claims.

Notice to School Commissioner.

His duty.

SEC. 16. The Chairman and Secretary of said meeting shall also notify within ten days the County School Commissioners as to the Board of Trustees elected by such meeting, and it shall be the duty of the School Commissioner to commission said Trustees with all the duties and powers of regular District Trustees.

Division of fund.

SEC. 17. Such funds as may arise from the levy of such special tax shall be divided by the Board of Trustees between the white and colored schools of said taxes paid by each race.

Vacancy.

SEC. 18. When a vacancy occurs in the Board of Trustees the other members shall have power to elect another to fill the unexpired term.

Approved January 4th, A. D. 1894.

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No. 472. AN ACT TO ENABLE AND AUTHORIZE SCHOOL DISTRICT No. 26, EMBRACING THE CITY OF ORANGEBURG, TO ISSUE BONDS FOR THE PURPOSE OF PURCHASING GROUNDS AND ERECTING A PUBLIC SCHOOL BUILDING, AND TO PROVIDE FOR THE INTEREST ACCRUING THEREON.

Issue of coupon bonds authorized.

Purposes.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That School District No. 26, embracing the city of Orangeburg, in the County of Orangeburg, is hereby authorized and required to issue coupon bonds to the amount of fifteen thousand dollars for

A. D. 1893.

the purpose of purchasing grounds and erecting, building, furnishing and equipping a public school building thereon, to be located in said school district: *Provided,* That a majority of the qualified electors of said school district voting shall be in favor of such issue as may be expressed at an election hereafter to be held for that purpose.

Approval by election.

SEC. 2. That the Trustees of said school district are hereby required to give ten days' previous notice in one or more of the newspapers published in said school district of the time and place of such election, appoint the managers, prescribe the form of ballots, receive the returns and declare the result.

Notice and conduct of election.

SEC. 3. That said school district is hereby declared a body corporate, for the purpose of executing and issuing said bonds and other powers herein given in case their issue be authorized by said election. The said bonds shall be issued in such denominations as the Trustees of said school district shall deem best, and shall be payable twenty years from the date of their issue, with interest payable annually, at a rate not to exceed seven per cent. per annum. The said bonds shall be signed by the Chairman of the Board of Trustees of said school district and countersigned by its Secretary, and their coupons shall be received in payment of any taxes in said school district, and said bonds shall constitute a first lien on all the property bought and improved from the proceeds of the sale thereof. The said bonds shall be exempt from taxation for State, County or municipal purposes.

Incorporation and purposes.

Description of bonds.

Execution.

Coupons receivable for taxes.

Lien.

Exemption.

SEC. 4. That for the purpose of paying the interest accruing on said bonds and the principal when due, the Auditor of Orangeburg County, or such other officer as may be charged with the assessment of taxes, shall levy annually such tax on all the taxable real and personal property in said school district as will raise a sum sufficient for said purposes, and the amount so levied shall be collected by the Treasurer of Orangeburg County, as State and County taxes are collected, to be held and applied by him solely to the payment of the said interest or principal, if any be due, and shall be used for no other purpose whatsoever.

Annual tax levy.

Collection and application of tax.

SEC. 5. That the said Board of Trustees are authorized and empowered to sell or hypothecate said bonds at their par value, and shall deposit all moneys coming to them from such sales or hypothecation in bank to the credit of said Board, to be drawn on checks signed by a majority of said Board, and they shall use the said moneys exclusively for the purposes set out in Section 1

Use of bonds.

Deposit of proceeds.

Use of money.

A. D. 1893.

of this Act, and should any of said bonds be not used they shall be cancelled by the said Board of Trustees.

Cancellation of bonds.

When to take effect.

SEC. 6. This Act shall take effect immediately upon its approval.

Approved December 18th, A. D. 1893.

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NOTE.—For Act relating to a school district partly in Orangeburg County, see ante Act No. 368, p. 545.

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No. 473. AN ACT TO CONDEMN LANDS FOR SITES AND LOCATIONS OF SCHOOL HOUSES IN PICKENS COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That should the Board of Trustees of the several school districts in Pickens County be unable otherwise to procure sites for school houses in said districts, for schools for white children, they shall have the power and shall be required to make said location as near the centre of their respective school districts as a suitable location can be procured, or may be practicable, provided said site shall not be within two hundred yards of the dwelling house of the owner of the land taken for said site without his consent.

Procurement of sites.

Location.

Proceedings of condemnation.

SEC. 2. The said Board of School Trustees shall have power, and it shall be their duty, to appoint a jury of two disinterested land owners, and the land owner one, in their school district, who shall assess the value of the same; then the Trustees shall secure the title and pay for the site, as decided by the jury, out of any funds belonging to their school district.

Payment.

Approved December 20th, A. D. 1893.

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No. 474. AN ACT TO FURTHER REGULATE THE SALARY OF THE COUNTY AUDITOR OF PICKENS COUNTY, IN THIS STATE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the passage of this Act the County Auditor of the County

Salary.

of Pickens shall receive an annual salary of five hundred dollars: *Provided*, That the Comptroller-General shall not issue to the said County Auditor a warrant for his salary until said Auditor shall have filed in the office of the Comptroller-General all abstracts and reports due by said Auditor to be filed with the Comptroller-General: *Provided, further*, That said Auditor shall not receive any compensation from his County to defray the expenses of assessment of property, as now provided by law. A. D. 1893. Preliminary report. No compensation for assessments.

SEC. 2. That the provisions of this Act shall not take effect until the 1st day of January, 1895. When to take effect.

SEC. 3. That all Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

Approved December 18th, A. D. 1893.

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AN ACT TO PROVIDE WHAT FEES SHALL BE CHARGED BY THE CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF PICKENS. No. 475.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the Clerk of the Circuit Court for the County of Pickens shall be entitled to the following fees, to wit: For signing and sealing summons, forty cents; for filing complaint, forty cents; for filing each answer, demurrer, or joinder in demurrer, twenty cents; for signing and sealing subpœna writ, forty cents; for docketing a cause, one charge only at each term, twelve cents; for attending the trial of a cause, whether civil or criminal, and swearing witnesses, forty cents; for entering verdict or other order for final judgment on the minutes of the Court, twenty cents; for special order for bail, forty cents; for filing and entering on the Journal every rule or order for arbitration, twenty cents; for filing affidavits for continuance when ordered by the Judge, twenty cents; for signing, entering and enrolling judgment, sixty cents; for signing and sealing first execution, forty cents; for signing and sealing each renewal of execution, twenty cents; for filing transcript, twenty cents; for entering satisfaction on judgment, twenty cents; for taking security for costs, entering order therefor if made, forty cents; for recording judgment, one dollar and twenty cents; for Fees prescribed. Pleadings. Preparing for trial. Trial. Special orders, &c. Judgment and execution. Recording.

A. D. 1893.

recording decrees of foreclosure, partition and reports, per copy sheet of ninety words, seven cents; for administering oath other than on trial of cause, proof of service on Sheriff's return, oath of jurors, or by order of Court, twelve cents; for taking and filing bonds in attachments, trover, or in other cases, eighty cents; for signing and sealing commission to examine witnesses, sixty cents; for examining each witness, pursuant to Article III., Chapter XCI., eighty cents; exemplification of proceeding, or other office copy, per copy sheet of ninety words, seven cents; recording plat of land under order of the Court, or copying the same, forty cents; rule of survey, forty cents; each official certificate under seal of Court, not herein specified, forty cents; issuing writ of attachment for contempt, or other special writ, eighty cents; signing and sealing writ of *hab. fac. possession.*, forty cents; receiving and paying over money officially, one and one-half of one per cent. if under three hundred dollars; if over that sum, one and one-half of one per cent. for the first three hundred dollars and one per cent. for the balance; on every appeal from Trial Justice, all services inclusive, except for entering up judgments and issuing executions therein, eighty cents; on bill *nol. pros.* before given out, eighty cents; on bill thrown out by grand jury, or found and *nol. pros.*, abated, discontinued, or struck off, one dollar and sixty cents; on bill found, and verdict by petit jury, two dollars and forty cents; all orders for bastardy and taking recognizance, eighty cents; issuing bench warrant, writ of *habeas corpus, scire facias,* and each execution in Sessions, one dollar and twenty cents; for issuing warrants, taking recognizance, or other service in the Sessions, as Trial Justice *ex officio,* same fees as allowed that officer; for each writ of *venire facias,* including all services incident to summoning juries, one dollar and sixty cents; for preparing and issuing certificates for grand and petit jurors and Constables, and furnishing returns to County Commissioners for each term of the Court of Common Pleas and General Sessions, four dollars; for filing petition and signing writ *de lunatico inquirendo,* eighty cents; for furnishing advertisements in cases of escheat, exclusive of printer's bill, eighty cents; for recording whole proceedings therein, one dollar and sixty cents; for license to an attorney, all services included, four dollars; for filing and entering notice of alien's intention to become a citizen, eighty cents; for filing and recording report of alien, eighty cents; for administering oath of intention, eighty cents; for filing and entering applica-

Administering oath.

Bonds.

Examination of witnesses.

Copy papers.

Rule; certificate.

Writs.

Commissions on money.

Appeal from Trial Justice.

Fees in General Sessions.

In matter of juries.

Writ *de lun. inq.*

Escheat.

Licenses.

Citizenship.

A. D. 1893.

tion to become a citizen and administering oath, one dollar and sixty cents; for giving certificate (over seal of office) of citizenship, eighty cents; for taking renunciation of dower or inheritance, one dollar and sixty cents; for every search for a paper found (not to be charged to the parties or attorneys when for papers in a case pending), twelve cents; for every search necessary for a certificate that a paper is not to be found in office, twenty cents; for swearing a Trial Justice or Constable in office, taking Constables' bonds and giving certificates thereof, eighty cents; for every probate in writing, twenty cents; for signing and sealing *dedimus potestatem*, eighty cents; for official certificate to exemplification of record, eighty cents; for official certificate without the seal, twenty cents; each day engaged in holding reference, eighty cents; making up and returning report on reference, but no more than one report in each case, two dollars and forty cents; for hearing application for discharge for insolvent debtors, one dollar and sixty cents; for hearing the same when litigated, three dollars and twenty cents; deed of conveyance, or mortgage, one dollar and sixty cents; for recording and copying deeds or other papers, per copy sheet of ninety words, seven cents; for entering satisfaction on a mortgage, twenty cents; for recording or copying plats of not more than six corners, eighty cents; and for every corner over six, eight cents; for granting charter of incorporation, one dollar and sixty cents; for granting charter to church, eighty cents.

Renunciation of dower. Search. Qualification of officers. Probates. *Ded. potest.* Certificates. Reference and report. Insolvent debtors. Deeds. Fees as Register of Mesne Conveyances. Charters.

Approved January 4th, A. D. 1894.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF EASLEY, IN THE COUNTY OF PICKENS." No. 476.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section one (1) of an Act entitled "An Act to incorporate the town of Easley, in the County of Pickens," be, and the same is hereby, amended by striking out all the words after "extend" and inserting the words "one mile from the depot of the Richmond and Danville Railroad in each direction, so as to form a circle;" also be amended by striking out the word "thirty"

A. A. 1874, 81, 15 Stat., 706, amended.

A. D. 1893. and inserting the word "sixty" after the word "resided." So that said Section when so amended shall read as follows after the enacting clause:

Incorporation. That from and after the passage of this Act all citizens of this State who have resided sixty days in the town of Easley shall be deemed, and are hereby, declared a body politic and corporate; and the said town shall be called and known by the name of

Name and limits. Easley, and its corporate limits shall extend one mile from the depot of the Richmond and Danville Railroad in each direction, so as to form a circle.

Registration of voters. SEC. 2. That the Clerk of the Town Council shall, ten days prior to any election for Intendant and Wardens of the town, open books for the registration of the names of all qualified voters of said town; said books to be open for two hours each day except Sunday, and shall be closed two days before the day

Electors. of election, and no person shall be allowed to vote in said town election who has not registered with the Clerk as aforesaid.

Approved December 20th, A. D. 1893.

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NOTE.—For Act relating to bridge of Pickens County, see ante Act No. 463, p. 665.

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No. 477. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ALTER AND AMEND THE CHARTER OF THE CITY OF COLUMBIA," APPROVED DECEMBER 21ST, A. D. 1882.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. A. 1882, 18 Stat., 91, amended. Section 1 of an Act entitled "An Act to alter and amend the charter of the city of Columbia," approved 21st December, A. D. 1882, be, and the same is hereby, amended by striking out all of said Section 1 of said Act, and by inserting in lieu thereof the following, so that said Section 1 as amended shall read as follows:

Returns for taxation. SECTION 1. That any and all person or persons, or corporations, owning or having charge as agent, trustee, executor or administrator of property, either real or personal, or both, liable for taxation by and within the city of Columbia shall make discovery and return of said property on or before the 15th of September of each year,

Date. upon oath or affirmation, to the Clerk and Treasurer of the said city, and shall make payment of all taxes levied and assessed upon the said property to the Clerk and Treasurer of said city

of Columbia according to his assessed value thereof; and upon failure to make such return or said payment as hereinbefore required, the person or corporation so in default shall be subject to a penalty of 10 per cent. upon the assessed value thereof, payment of said penalty to be enforced in the manner hereinafter provided for the collection of taxes. That all taxes levied and assessed by the Mayor and Aldermen of the city of Columbia shall be payable in such manner and at such times next after the levy and assessment of said taxes as shall be provided by the ordinances of said city, and by all persons and corporations liable for the same; and upon failure to pay the same, or any part thereof, their respective property, both real and personal, shall be liable therefor. That the city of Columbia shall have a lien for the amount of all taxes, penalties and costs levied, assessed or imposed by the Mayor or Aldermen of said city, in preference to all other debts except debts due to the State of South Carolina, from the date of levy of said taxes upon all property, both real and personal, within the said city, and the said lien shall remain in full force as a paramount lien for said unpaid taxes, penalties and costs for a period of ten years from the date of the levy of said taxes: *Provided, however*, That no lien shall exist unless the amount of taxes claimed against the property of any person or corporation shall be recorded in a book kept for that purpose, showing the name of the person or corporation against whom the amount is claimed, a description of the property and the amount claimed for taxes; and the said book shall be kept open for the inspection of the public; and the Clerk and Treasurer of said city shall upon demand of any person render a certificate showing the amount of taxes claimed against any person or corporation, with a description of the property, for which he shall be allowed to charge a fee of 25 cents for each name. That nothing herein contained shall be construed as authorizing the city of Columbia to levy for any purpose an annual tax exceeding that now authorized by law, to wit, 2 per cent. of its taxable property as assessed, exclusive of all sums collected by licenses as now authorized by its charter.

Penalty for failure.

Manner and times of payment of taxes.

Liability of property.

Lien for taxes.

For 10 years.

Record by city.

Certificate by Clerk.

Limit of taxation.

SEC. 2. That the following be inserted, to be known as Section 2 of said Act: Upon the failure on the part of any person or corporation to pay any assessment of taxes, assessed or imposed by the Mayor and Aldermen of the city of Columbia according to law, the Mayor of the said city shall issue his execution under the seal of the city of Columbia, attested by the Clerk and

Execution to collect taxes.

A. D. 1893.

Treasurer of the said city, against said person or corporation so in default, for the amount claimed against the said person or corporation for taxes together with the costs and penalties thereon. The said execution shall be directed to the Sheriff of Richland County and lodged in his office. Upon receipt of same, the said Sheriff shall forthwith levy the said execution upon the property, real or personal, or both, of the person or corporation so in default, and shall advertise the same, and sell and convey all right, title and interest and estate of the person or corporation so in default in and to the said property as aforesaid levied upon, in the same manner and subject to the same regulations as are applicable to the sales made by the Sheriff of said County under executions issuing out of the Circuit Court of Common Pleas; that at such sales the said city may become the purchaser of the property sold. Upon the payment of the purchase money by a purchaser at such sale, the said Sheriff shall make a good and sufficient conveyance thereof to the said purchaser, and the said deed of conveyance, whether executed to a private person or corporation, shall be held and taken in all the Courts of this State as *prima facie* evidence of good title in the holder, and that all proceedings have been regular, and that all requirements of law have been duly and fully complied with, and no action for the recovery of the lands sold as aforesaid, or for the recovery of the possession thereof, shall be maintained unless brought within two years from the date of said sale. Upon the written request of a purchaser of such property, and on production by the purchaser of the deed from the said Sheriff, it shall be the duty of the Mayor of the city of Columbia to issue to the Sheriff of Richland County a writ of ejectment against the said defaulting person or corporation, his, her and its agents, tenants, lessees, and all persons whomsoever occupying or holding said property, commanding the said Sheriff to put the said purchaser in immediate possession of said property, and for that purpose the Mayor of the city of Columbia is hereby authorized and empowered to issue the said writ of ejectment: *Provided,* That within ninety days from the date of said sale the owner of said real estate may redeem the same and require of the said purchaser a reconveyance of the same upon payment by the owner to the said purchaser the amount so as aforesaid due for taxes, penalties and costs of levy, sale and advertisement.

Lodgment and enforcement.

Advertisement and sale.

City may purchase.

Conveyance to purchaser.

*Prima facie* evidence.

Limitation of actions.

Writ of ejectment.

Purchaser to be put into possession.

Right of redemption.

Rights of city as to dues to city.

SEC. 3. That Section 2 of said Act be stricken out and the following be inserted, to be known as Section 3: From and after

A. D. 1893.

the passage of this Act all legal taxes, assessments, penalties, fines, license and dues shall be considered and held as debts due and payable to the city of Columbia by all persons, parties and estates against whom the same shall be charged, and the city of Columbia may proceed to collect the same in the manner, form and effect provided for the collection of debts of individuals in the Courts of this State: *Provided*, Nothing in this Section contained shall be construed as exclusive of any other remedy the city may have for the collection of taxes, assessments, penalties, fines, dues and licenses, but the same shall be construed as cumulative.

Remedies not exclusive.

SEC. 4. That the enumeration of Section 3 of said Act be changed to "Section 4."

Change in numbering.

SEC. 5. That this Act shall take effect immediately upon its approval.

When to take effect.

Approved December 22d, A. D. 1893.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN RICHLAND COUNTY, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN," APPROVED DECEMBER 24TH, 1880. No. 478.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 5 of an Act entitled "An Act to provide for the establishment of a new school district in Richland County and to authorize the levy and collection of a local tax therein," approved December 24th, 1880, be, and the same is hereby, amended by striking out the word "Clerk," on the seventh line thereof, and inserting the word "Secretary."

A. A. 1880, 17 Stat., 405, amended.

Secretary instead of Clerk.

SEC. 2. That Section 6 and 7 of said Act be stricken out, and the following inserted, to be known as Section 6 and Section 7:

Sections 6 and 7 amended.

SECTION 6. All moneys received or held by the County Treasurer of Richland County for the account of the School District of the City of Columbia shall be protected by the official bond of the said County Treasurer as public money. And it shall be the duty of the said County Treasurer to report monthly, on the fifteenth day of each month, to the Board of School Commis-

Moneys covered by Treasurer's bond.

Reports by Treasurer.

A. D. 1893.

sioners of the School District of the City of Columbia the amount of all collections, specifying the source from which said collections are received, and the various disbursements made by him upon the warrants of said Board during the preceding month,

Penalty for failure.

and it shall be a misdemeanor on the part of the said County Treasurer to neglect, fail or refuse to make such report, and on conviction thereof he shall pay a fine of five hundred dollars, the same to be used for school purposes in Richland County. The

Compensation of Treasurer.

said County Treasurer shall receive such compensation for his services as the said Board of School Commissioners may determine.

Disbursement of school funds.

SECTION 7. The funds held and received by the said County Treasurer for account of the School District of the City of Columbia from the Constitutional school tax, poll tax, special tax, and from all other sources, shall be paid out only on the warrant of the said Board of School Commissioners, said warrants to be signed by the Chairman of the said Board and attested

Deposit of moneys.

by the Secretary; the said amounts so drawn by warrant, together with all other funds received from other sources by said Board, shall be deposited in a bank in the city of Columbia, to be selected by said Board, and disbursed by the order of said Board by checks signed by its Chairman and attested by its Secretary.

Accounts.

The Secretary of the said Board shall keep an account of all funds received and disbursed as aforesaid under such rules and regulations as the said Board shall prescribe.

Approved December 23d, A. D. 1893.

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No. 479. AN ACT TO FIX THE SALARY OF THE AUDITOR OF SPARTANBURG COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Salary from County.

from and after the passage of this Act the Auditor of Spartanburg County shall receive from said County as his salary the sum of seven hundred dollars per annum in addition to the annual compensation now received by him from the State.

Repealing clause.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 20th, A. D. 1893.

AN ACT TO AUTHORIZE AND DIRECT THE COUNTY COMMISSIONERS OF SPARTANBURG COUNTY TO OPEN AND CONSTRUCT A PUBLIC HIGHWAY FROM A POINT ON THE WHITE PLAINS ROAD NEAR BETHESBA CHURCH TO THE PUBLIC ROAD LEADING FROM TROUGH SHOALS TO SPARTANBURG COURT HOUSE.

A. D. 1893.
No. 480.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Spartanburg County be, and they are hereby, authorized and directed to open and construct a public road commencing at a point on the White Plains road near Bethesba Church and about one-half of a mile from the Crockerford Bridge on Pacolet River; thence in a Southeastern direction, following the general course of the old road, through the lands of Miss R. F. Crocker, estate of Fulton Broon and lands of J. M. Lee, to the public highway leading from Trough Shoals to Spartanburg Court House, and intersecting said highway at a point about one-half mile above Pacolet Mills in said County. And for the purpose of carrying into effect the provisions of this Act said County Commissioners are hereby invested with all the rights, powers and privileges of an Act entitled "An Act to further empower County Commissioners to open and establish public highways," approved 17th December, 1889.

Road to be opened.

Route.

Rights and powers.

20 Stat., 282.

SEC. 2. That said County Commissioners are hereby further authorized and directed, for the purpose of opening and constructing said public road, to expend such sum of money as in their judgment is necessary to complete said road and the bridges thereon.

Expenditure of money.

Approved January 4th, A. D. 1894.

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A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE COUNTY COMMISSIONERS OF SPARTANBURG COUNTY TO DRAW THEIR WARRANTS UPON THE COUNTY TREASURER OF SAID COUNTY, IN PAYMENT FOR EXTRA SERVICES RENDERED AS COUNTY COMMISSIONERS, IN FAVOR OF J. L. HOWELL, R. M. JOLLY AND J. D. LEONARD, AND TO DIRECT THE COUNTY TREASURER TO PAY THE SAME.

No. 481.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1893. in General Assembly, and by the authority of the same, That the County Commissioners of the County of Spartanburg are

Claims to be audited. hereby authorized and required to audit the claims of J. L. Howell, R. M. Jolly and J. D. Leonard, for the sums of thirty-six dollars, thirty-six dollars, and twenty-seven dollars, respectively, for extra services rendered by them as County Commissioners for said County, in the years 1892 and 1893; and said

Warrants to be issued. County Commissioners are hereby authorized and required to issue to said persons their warrants upon the County Treasurer of said County for the sums above mentioned, to be paid out of the levy for general County expenses.

Payment. SEC. 2. That the County Treasurer of Spartanburg County do pay said warrants when drawn out of the levy for general County expenses.

When to take effect. SEC. 3. That this Act shall take effect immediately upon its approval.

Approved December 22d, A. D. 1893.

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No. 482. AN ACT TO AUTHORIZE AND EMPOWER THE GOVERNOR TO APPOINT A CONSTABLE TO BE LOCATED AT THE PACOLET MANUFACTURING COMPANY, IN SPARTANBURG COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Constable to be appointed. the Governor of this State is hereby authorized and empowered to appoint some fit and proper person as Constable, who shall reside at the principal place of business of the Pacolet Manu-

Residence. facturing Company, in Spartanburg County, in this State, and who shall, before entering upon the duties of his office, take the

Oaths. oaths prescribed in Section 865, of this State, of the General

Jurisdiction. Statutes of this State. The Constable so appointed shall have jurisdiction in said County to a limit of one mile in each direction from the main factory building of the said corporation, and

Powers. shall have all the powers and duties prescribed in Section 872 of

Duty on arrest made. the General Statutes aforesaid. In any arrest made by said Constable, he shall carry the party or parties so arrested before the nearest Trial Justice for the County in which such arrest is made.

Salary. SEC. 2. That the said Constable shall receive twenty-five dollars per annum for his services.

Approved December 20th, A. D. 1893.

AN ACT TO LIMIT THE COMPENSATION OF TRIAL JUSTICES IN SPARTANBURG COUNTY.

A. D. 1893.

No. 483.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That no Trial Justice in Spartanburg County shall receive compensation from said County for fees and other charges in a sum exceeding fifty dollars for any fiscal year, except the two Trial Justices in Spartanburg city, who shall receive the salaries now allowed by the Act approved December 24th, 1890, and except the two Trial Justices in Limestone Township, whose compensation from said County for fees or other charges shall not exceed one hundred dollars each.

Salary of Trial Justices.

Spartanburg city.

20 Stat., 978.

Limestone.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Repealing clause.

SEC. 3. That this Act shall take effect upon its approval.

When to take effect.

Approved January 4th, A. D. 1894.

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AN ACT TO REPEAL SECTION 2 OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR TWO TRIAL JUSTICES AND TWO CONSTABLES IN THE CITY OF SPARTANBURG AND TO FIX THEIR COMPENSATION," APPROVED DECEMBER 24TH, A. D. 1890.

No. 484.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to provide for two Trial Justices and two Constables in the city of Spartanburg and to fix their compensation," approved December 24th, A. D. 1890, be, and the same is hereby, repealed.

A. A. 1890, §2, 20 Stat., 978, repealed.

SEC. 2. That this Act shall take effect upon its approval.

When to take effect.

Approved January 4th, A. D. 1894.

A. D. 1898. No. 485.

AN ACT TO AMEND SECTIONS 10 AND 16 OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE CITY OF SPARTANBURG," APPROVED DECEMBER 24TH, 1880, RELATING, RESPECTIVELY, TO IMPROVEMENTS OF STREETS AND TO LEVY OF TAX.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sections 10 and 16 of an Act entitled "An Act to incorporate the City of Spartanburg," approved December 24th, 1880, be amended, respectively, so as to read as follows:

A. A. 1880, 17 Stat., 434, amended.

Lots and sidewalks.

SECTION 10. The said City Council shall have power and authority to close in all lots in said city, and to make and keep in good repair, by paving or otherwise, all sidewalks in front of any lot or lots, whereon the same shall front or adjoin any public street of the said city, if in the judgment of the Council such sidewalks shall be necessary, the width thereof and the manner of construction to be designated and regulated by the said City Council, and to require the owner or owners to pay the price of making or repairing; and the said city shall have a lien in preference to all other liens for said work on the property benefited by said improvements; and the said City Council are hereby empowered to sue for and recover the same by action of debt in any Court of competent jurisdiction: *Provided*, That such owner or owners shall not be required to pay more than the actual cost of such improvements. The cemeteries and public graveyards are also placed under the jurisdiction of said City Council.

Lien for work.

Proviso.

Cemeteries.

Auction sales.

Licenses.

SECTION 16. The Mayor and Aldermen of the said city, or a majority of them, shall have full power to regulate sales at auction within the corporate limits of the city, and to grant licenses to auctioneers, itinerant traders, to keepers of hotels, livery stables, billiard tables, ten-pin alleys, or other kinds of games of hazard, skill or chance, on all drays, carts, wagons, carriages, omnibuses, buggies, horses, mares, or mules kept for hire or used for public purposes, or any other business conducted in said city. They shall have power to impose a tax not exceeding fifty cents on every hundred dollars of the value of all real and personal property lying within the corporate limits of said city, and in addition thereto they shall have power to impose such taxes as may be necessary to meet the interest and principal of the bonds issued by the town of Spartanburg in aid of the

Tax on property.

A. D. 1893.

Atlanta and Charlotte Air Line Railway, and the bonds known as Town Hall Bonds: *Provided,* That the bonded debt of said city shall in no way be increased without an Act of the General Assembly authorizing the same, and without the consent of two-thirds of the qualified electors of said city being first had by an election held for that purpose: *Provided, further,* That nothing herein contained shall prevent the funding of the present bonded debt at the same rate it now bears, or a lower rate of interest.

Increase of bonded debt.

Funding of debt.

SEC. 2. That this Act shall take effect upon its approval.

When to take effect.

Approved January 4th, A. D. 1894.

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AN ACT TO INCORPORATE THE TOWN OF FAIR FOREST, IN SPARTANBURG COUNTY. No. 486.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States and this State who now are or hereafter may be inhabitants of the town of Fair Forest shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Fair Forest, and the limits shall extend one mile in every direction from Fair Forest Academy.

Incorporation.

Name and limits.

SEC. 2. Said town of Fair Forest shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23rd, 1885.

Rights and liabilities.

19 Stat., 174.

SEC. 3. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter.

Public Act.

Duration.

SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the town of Fair Forest, in the County of Spartanburg; and the sale of spirituous or intoxicating liquors, bitters, or other beverages of which spirituous liquors form an ingredient, within the corporate limits of said town is hereby prohibited. And any one violating this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided by law.

Liquor licenses prohibited.

Sale of liquor prohibited.

Penalty.

SEC. 5. This Act shall take effect upon its approval.

When to take effect.

Approved January 4th, A. D. 1894.

A. D. 1893.

No. 487.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND THE FOURTH SECTION OF AN ACT ENTITLED 'AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN SPARTANBURG COUNTY, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN,' APPROVED DECEMBER 22D, 1883," APPROVED DECEMBER 22D, 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 4 of an Act entitled "An Act to amend the fourth Section of an Act entitled 'An Act to provide for the establishment of a new school district in Spartanburg County, and to authorize the levy and collection of a local tax therein,' approved December 22d, 1883," approved December 22d, 1891, be, and the same is hereby, amended so as to read as follows:

A. A. 1891, 84, 20 Stat., 1464, amended.

Powers of meeting.

Officers and taxation.

Tax not repealable.

Board of Trustees.

Terms of office.

Powers and duties of Board.

Buildings.

Teachers.

SECTION 4. That when the persons answering the above description shall have assembled in public meeting, they shall have power: First. To select a Chairman and Secretary, adjourn from time to time, decide what additional tax, if any, shall be levied, and appropriate the same in such manner as they may think best for the educational interests of said school district: *Provided*, That no tax thus levied shall be repealed at any subsequent meeting within the same year. Second. They shall also have power to select (subject to the approval of the Board of Examiners of Spartanburg County) a Board of six Trustees, (whose Chairman shall only vote in case of a tie,) the term of office of two of whom (to be decided by lot in the presence of the County School Commissioner) shall be for six years dating from their election in A. D. 1894, of two of whom for four years, and of the remaining two of whom for two years from same date; subsequent elections to be every two years thereafter for the term of four years, to fill the vacancies to be caused by the expiration of the terms of two of the Board; so that four of each Board may continue in office after each election. The said Board, in addition to the duties and responsibilities now provided by law for Trustees of school districts, shall have the following powers and duties: 1. To purchase or erect suitable buildings for the use of the public schools of said school district. 2. To elect and dismiss superintendents and teachers of the city schools, prescribe their duties, terms of their office, and to fix their salaries, and to cause an examination of said teachers to be made

A. D. 1893.

whenever necessary; also to determine the class books and studies to be used in said schools, and to make rules and regulations for the government of said schools. 3. To determine the manner in which the tax heretofore authorized (and the two mills Constitutional and poll tax provided by law) shall be expended in maintaining said schools; and 4. To fill all vacancies occurring in said Board of Trustees by death, resignation, removal or otherwise, during their term of office or service: *Provided, further,* That in case in any year no such meeting shall be held, or in case at any such meeting no action shall be taken in regard to the levy and collection of the special tax in said school district, it shall nevertheless be the duty of the County Auditor of Spartanburg County, or of such other officer as may at any time be charged with the duty of assessment and levy of taxes in said County and school district, to assess and levy a special school tax of two mills, in addition to the Constitutional school tax, on all real and personal property returned in said school district, and the same shall be a lien, until paid, on all property in said district; and the County Treasurer, or other proper officer, shall collect the same with the State and County taxes in the same manner and subject to the same penalties as are provided by law for the collection of State and County taxes.

Studies.

Expenditure fo tax.

Vacancies.

Assessment by Auditor.

Collection of tax.

Approved January 4th, A. D. 1894.

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A JOINT RESOLUTION DIRECTING THE TREASURER OF SPARTANBURG COUNTY TO PAY TO J. L. GREENE TAXES IMPROPERLY COLLECTED. No. 488.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whereas J. L. Greene, of Spartanburg County, has paid to the Treasurer of said County the sum of fifty-three 98-100 dollars taxes improperly collected, the Comptroller-General is hereby authorized and required to draw his warrant in favor of said J. L. Greene, and the State Treasurer to pay the same, for so much of said sum as was paid in for State taxes, and the County Treasurer of said County is hereby authorized and required to pay said J. L. Greene, out of County funds on hand, the remainder of said sum.

Recital.

Warrant to be drawn.

Payment directed.

Approved December 18th, A. D. 1893.

A. D. 1893. No. 489.

## AN ACT TO INCORPORATE THE FARMERS MUTUAL INSURANCE ASSOCIATION OF SPARTANBURG COUNTY, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. T. J. Moore, S. E. Mason, J. J. Tinsley, J. W. Alexander, S. T. D. Lancaster, W. H. Barnett, L. C. Wofford, and other persons who shall become members thereof, be, and they are hereby, constituted a body politic and corporate under the name of the

Name. Farmers Mutual Insurance Association of Spartanburg County,

Powers and privileges. S. C., and under that name shall have all the powers, privileges and franchises incident to such corporations under the laws of this State.

Fire and storm insurance. SEC. 2. That said corporation shall have the right to mutually insure the respective dwelling houses, barns and other buildings, household goods and farming implements and machinery of its members against loss by fire, wind and lightning, upon such terms and under such conditions as may be fixed by the by-laws

Suits and seal. of the said corporation. It may sue and be sued in any Court in this State, and may have and use a common seal.

Directors and officers. SEC. 3. That the said corporation may make by-laws fixing the number of its Board of Directors and other officers, and defining the powers and duties of the Directors and officers; also making rules and regulations governing the corporation and the conduct of its business not inconsistent with the laws of this State.

Liability of members. SEC. 4. That every member of said corporation be, and is hereby, bound and obliged to pay his, her or their portion of all losses and expenses happening or accruing to said corporation;

Property pledged. and all buildings or other property insured by and with said corporation, together with the right, title and interest of the assured to the lands on which such buildings or other property may stand, shall be pledged to the said corporation, and the cor-

Lien. poration shall have a lien thereon against the assured, his or her heirs, representatives and assigns, during the continuance of their insurance, as to all debts and liabilities contracted or incurred by said corporation subsequently to the passage of this Act.

Extent of liability. SEC. 5. All property insured by said corporation shall be liable as herein provided until all outstanding losses shall have been paid, and until the owner thereof shall have withdrawn his insurance in the manner prescribed by the by-laws of said corporation:

Release by transfer. *Provided, however,* That any transfer of such property shall

operate as a release of the same under the provisions of this Act as to all subsequent liabilities unless the purchaser or purchasers thereof shall make application to the Board of Directors for a continuance of said insurance within ten days from the date of such transfer, in which event such purchaser or purchasers shall be substituted to all the rights of the vendor under this Act, and the said property shall be held liable as herein provided, and the provisions of this Section shall apply as well to the personal representatives and guardians as to purchasers of such property. A. D. 1893. Rights of purchaser.

SEC. 6. That the aggregate amount of insurance by said corporation in Spartanburg County shall not be less than fifty thousand dollars, nor shall it exceed one million dollars. Limit of amount of insurance.

SEC. 7. That this Act shall be deemed a public Act, and shall go into effect immediately after its approval, and shall continue in force for a period of thirty years. Public Act. Duration.

Approved January 4th, A. D. 1894.

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AN ACT TO AUTHORIZE THE PRODUCO MILLS, INCORPORATED UNDER THE LAWS OF THIS STATE, TO CHANGE THE VALUE OF THE SHARES OF ITS CAPITAL STOCK FROM 5 TO 100 DOLLARS. No. 490.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Produco Mills, a company incorporated under the laws of this State, be, and it is hereby, authorized to change the number of its shares of its capital stock from 12,000 to 600, and the value of each share from 5 dollars to 100 dollars. Change in capital stock. See 20 Stat., 1030.

SEC. 2. That the Directors of said company are hereby authorized to call in the old certificates of stock for the purpose of issuing in lieu thereof the shares herein provided for: *Provided,* That if any stockholder shall own less than 20 shares of the stock already issued he shall receive a fraction of a share of stock to represent said old stock retired in accordance with the provisions of this Act. Substituted certificates. Proviso.

SEC. 3. This Act shall take effect on its approval. When to take effect.

Approved January 4th, A. D. 1894.

A. D. 1893. No. 491. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND THE CHARTER OF THE SCHOOL DISTRICT OF THE CITY OF SUMTER," APPROVED DECEMBER 24TH, 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to amend the charter of the School District of the City of Sumter" be, and the same is hereby, repealed, and that the following be inserted in said Act to be known as:

A. A. 1891, §2, 20 Stat., 1478, amended.

Election of School Commissioner.

SECTION 2. Four School Commissioners for School District of the City of Sumter shall be elected on the 2nd Tuesday in June, A. D. 1894, between the hours of 9 o'clock A. M. and 4 o'clock P. M., and between the same hours on the second Tuesday in June of every second year thereafter, who, together with the Mayor of the city of Sumter, shall constitute the School Board for said school district, and they shall hold their offices for the term of two years, and until their successors shall have been elected and qualified. The said four School Commissioners shall be elected in the same manner as is now or may hereafter be provided for the election of a Mayor and Aldermen of said city; and it shall be the duty of the Mayor and Aldermen of said city to provide for the election of said Commissioners; and that the registration of voters made for the municipal election shall be used for election of School Commissioners. That should the office of School Commissioner become vacant, during the term for which he was or may be elected, by death, resignation or otherwise, it shall be the duty of the Mayor and Aldermen, as soon thereafter as practicable, to elect a suitable person to fill the unexpired term.

School Board.

Manner of election.

Registration.

Vacancies.

Repealing clause.

SEC. 3. All Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 22d, A. D. 1893.

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No. 492. AN ACT TO RENEW AND EXTEND THE CHARTER OF THE "SUMTER BUILDING AND LOAN ASSOCIATION," OF SUMTER, S. C.

Preamble.

*Whereas* the charter of the "Sumter Building and Loan Association" will expire by operation of law on the 20th day of Janu-

ary, 1894; *And whereas* the business of said association cannot be wound up by that day without serious loss to its stockholders. Now, therefore, for the purpose of liquidation and winding up the business of said association, A. D. 1893.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the "Sumter Building and Loan Association," of Sumter, S. C., be, and the same is hereby, renewed and extended for the term of two years from the approval of this Act. A. A. 1888, 18 Stat., 605, extended.

SEC. 2. That this Act shall go into effect immediately upon its approval. When to take effect.

Approved December 20th, A. D. 1893.

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AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY TO ISSUE COUPON BONDS FOR THE PURPOSE OF REFUNDING THE INDEBTEDNESS OF SAID COUNTY FALLING DUE ON ———, 1895, UPON BONDS ISSUED IN AID OF THE SPARTANBURG AND ASHEVILLE RAILROAD COMPANY, OR TO BORROW MONEY TO PAY OFF SAME. No. 493.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of refunding the indebtedness of Union County upon bonds issued in aid of the Spartanburg and Asheville Railroad Company, which bonds fall due in 1895, the Board of County Commissioners of the County of Union be, and they are hereby, authorized and empowered to issue coupon bonds to an amount not exceeding the amount of the said bonds falling due in ———, 1895, now outstanding, said bonds to bear such rate of interest as may be fixed by said Commissioners, payable on the first day of ——— of each and every year, to bear date from the first day of ———, 1895, and to be made payable twenty years from the date of the same. For refunding bonded debt. New issue of bonds authorized. Description.

SEC. 2. That should the Board of County Commissioners of Union County deem it advisable and to the interest of said County to borrow money and pay off said indebtedness, or any part of same, and not issue the bonds mentioned in Section one Loan authorized.

A. D. 1893. of this Act, that then they be, and are hereby, authorized and empowered to borrow such sum or sums of money as may be necessary for that purpose, and to execute the obligations of the
Rate of interest. County therefor: *Provided,* No higher rate of interest than seven per cent. is paid.

Approved December 23d, A. D. 1894.

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No. 494. AN ACT TO AUTHORIZE AND DIRECT THE COUNTY COMMISSIONERS OF UNION COUNTY TO DRAW THEIR WARRANT ON THE COUNTY TREASURER FOR THE SPECIAL TAX OF TWO AND ONE-HALF MILLS LEVIED IN JONESVILLE AND PINCKNEY TOWNSHIPS TO PAY INTEREST ON THE COUPON BONDS SUBSCRIBED BY SAID TOWNSHIPS TO AID IN THE CONSTRUCTION OF THE LOCKHART SHOALS RAILWAY, TO BORROW MONEY, IF THE SAME BE NECESSARY, TO AID IN THE COMPROMISE AND CANCELLATION OF SAID BONDS, AND TO MAKE AN ADDITIONAL TAX LEVY IN SAID TOWNSHIPS, IF THE SAME BE NECESSARY, FOR THE PURPOSES HEREIN MENTIONED.

Preamble and recitals. 20 Stat., 1481. *Whereas* the townships of Jonesville and Pinckney, in the County of Union, under an Act of Assembly heretofore passed, subscribed, in coupon bonds, the sum of twenty thousand dollars each to aid in the construction of the Lockhart Shoals Railway, and a special tax levy of two and one-half mills was made and collected to pay the interest on said coupon bonds; *And whereas* said Lockhart Shoals Railway Company has expended certain sums of money in surveying and locating said railway: *And whereas* said Lockhart Shoals Railway Company has agreed in writing to surrender and return for cancellation to said County Commissioners the said townships' coupon bonds, upon the payment to said railway company of the sums of money expended by it in the locating and surveying of raid railway. Therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
Warrants to be drawn. the County Commissioners of the County of Union be, and they are hereby, authorized and directed to draw their warrants upon the County Treasurer of said County for the sum of money now

A. D. 1893.

on hand, or hereafter to be collected by said Treasurer under the provisions of this Act, payable to C. D. Farrar, as President of the Lockhart Shoals Railway Company, in payment of the money expended by said railway company in locating and surveying said railway: *Provided*, That upon the payment of said money, the said C. D. Farrar, President, shall deliver to said County Commissioners for the purpose of satisfaction and cancellation each and every of the coupon bonds subscribed and issued by the townships of Jonesville and Pinckney, in Union County: *And provided*, That in case the said two and one-half mills be insufficient to pay off and discharge the amount agreed upon in said compromise, the County Commissioners are hereby authorized and directed to borrow such sum of money as may be necessary for this purpose at a rate of interest not to exceed seven per cent. per annum. In case a surplus remain from said two and one-half mills, said surplus shall be prorated and turned over to the school funds of said townships of Jonesville and Pinckney according to the average attendance of scholars in said townships. That the money borrowed, if any, by said County Commissioners for the purpose of this compromise shall be refunded by said townships by the payment of an additional tax levy, which levy said County Commissioners are hereby authorized and directed to make.

Bonds to be delivered and cancelled.

Loan by County

Use of surplus.

Refundment of loan.

Approved January 4th, A. D. 1894.

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A JOINT RESOLUTION AUTHORIZING AND REQUIRING THE COUNTY TREASURER OF UNION COUNTY TO PLACE CERTAIN FUNDS TO THE CREDIT OF THE USUAL COUNTY BALANCE TO BE PAID OUT FOR ORDINARY COUNTY PURPOSES.

No. 495.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Union County be authorized, and is hereby required, to place any surplus which may be in the hands of the County Treasurer of said County from payment of past indebtedness of said County on the ordinary credit balance to be paid out for ordinary County purposes.

Application of surplus funds.

Approved December 22d, A. D. 1893.

A. D. 1893.
No. 496.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF UNION AS TO THE TIME OF HOLDING ELECTIONS, TITLE OF ITS OFFICERS, AND FOR THE LEVY OF A SPECIAL TAX.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Mayor and Aldermen.

the Intendant and Wardens of the town of Union shall hereafter be known and designated as Mayor and Aldermen, respectively, of the town of Union, and collectively as the Town Council of Union.

Election.

SEC. 2. That an election for Mayor and Aldermen shall hereafter occur every two years instead of annually. The present and all future members of Council shall hold office until their successors, respectively, be elected and qualified. The next election

Days of election.

for members of said Council shall be held on the first Tuesday in June, 1894, and bi-annually thereafter on the same day: *Provided*, That in case the election in any year be not held on said day, the incumbent Council shall appoint a convenient day for such election as soon thereafter as possible.

Annual special tax levy.

SEC. 3. That the Town Council of said town be, and they are hereby, authorized and empowered to assess, levy and collect annually a special tax not to exceed two mills for the retiring of

To retire bonds.

one thousand dollars of school bonds issued under the Act of the Legislature of said State, approved 24th December, 1889, en-

20 Stat., 603.

titled "An Act to authorize the Town Council of the town of Union to issue bonds for the purpose of building, furnishing and equipping a school building for the public school of the town of Union, and to provide for the payment of the same," until all of said bonds shall have been redeemed and fully paid. Any

Surplus.

surplus of said tax to be covered annually into the town treasury for ordinary town purposes; said special tax to be collected at the same and in the same manner as other town taxes.

Divided into wards.

SEC. 4. All that portion of the town of Union lying on the Northeast corner of Main and Bachelor streets, that is, East of

Ward 1.

Bachelor and North of Main, be named "Ward One;" and all that portion of said town lying in the Southeast corner of Main and Bachelor streets, that is, East of Bachelor and South of

Ward 2.

Main, be named "Ward Two;" and all that portion of said town of Union lying in the Southwest corner of Main and Bachelor streets, that is, West of Bachelor and South of Main,

Ward 3.

be named "Ward Three;" and all that portion of the town of

Union lying in the Northwest corner of Main and Bachelor streets, that is, West of Bachelor and North of Main street, be named "Ward Four." A. D. 1893. Ward 4.

Approved January 4th, A. D. 1894.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE THE ELECTION OF A TOWN TREASURER FOR THE TOWN OF UNION, IN THE COUNTY OF UNION, AND PRESCRIBE HIS DUTIES. No. 497.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the words in line twenty-four and line twenty-five of said Act beginning with the word "the" and ending with the word "Union" be, and the same are hereby, stricken out and the words "any solvent bank" be substituted in lieu thereof. So that said Section when so amended shall read as follows: A. A. 1888, 20 Stat., 288, amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That on the second Monday in February in each year an election shall be held for a Treasurer for the town of Union. Said election shall be held in said town by three managers, who shall be appointed by the Town Council of said town, and all persons shall be allowed to vote at said election who are eligible to vote for Intendant and Wardens of said town. The Town Council of said town shall give public notice of said election ten days prior thereto, and said election shall be held and conducted in the manner as provided by law for the election of Intendant and Wardens of said town. Said Town Treasurer shall hold office for one year, and until his successor is elected and qualified. Before entering upon the duties of his office he shall enter into bond in the sum of five thousand dollars, payable to said town of Union, with condition for the faithful discharge of his duties as Town Treasurer. He shall receive and collect all moneys belonging to said town and all taxes, fines and license fees laid and imposed by said Town Council, and shall disburse the same as directed by said Town Council, and shall pay over and deliver to his successor all moneys and property of said town remaining in his hands at the expiration of his term of office. He

Election for Town Treasurer.

Conduct of election.

Notice to be given.

Term of office.

Bond.

Duties.

Delivery to successor.

A. D. 1893. shall deposit all moneys received by him in any solvent bank as soon as received, and shall on or before the first day of January
Deposits. in each year make and publish in a newspaper published in said
Report. town a report of the moneys received by him as Treasurer and
Compensation. the disposition of the same. He shall receive as full compensation for his services two and one-half per centum of all moneys received and two and one-half per centum of all moneys actually
Proviso. disbursed by him: *Provided,* That, in ascertaining the amount of his compensation, no payment or delivery of money or other property to his successor shall be held to be a disbursement.

Approved January 4th, A. D. 1894.

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No. 498. AN ACT TO PROVIDE FOR A REVISION OF THE REGISTRATION OF ELECTORS IN WILLIAMSBURG COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
Revision of books. the Supervisor of Registration for Williamsburg County shall revise the registration books of the County of Williamsburg and rearrange the registration by assigning the electors to the appropriate voting precincts as now provided by law. For this pur-
Reissue of certificates. pose the said Supervisor shall call in all certificates heretofore issued, and shall cancel the same and issue other certificates in accordance with the provisions of this Act, and no certificate heretofore issued shall be good and valid to entitle an elector to
New books. vote in any State or Federal election. The said Supervisor shall also provide and open a new set of registration books for the said County, and shall register therein all electors who shall surren-
Lost certificates. der their former certificates. The said Supervisor shall also have power to issue certificates and to register all electors who shall make proof of the loss of their former certificates in the
Limit of time. manner now provided by law, the said revision to be made and completed by the thirty-first day of May, A. D. 1894.

Compensation. SEC. 2. That said Supervisor shall receive in compensation for his services in making the revision and new registration provided for in this Act the sum of one hundred dollars, in addition to present salary, to be paid when the work is completed, and the
How paid. same shall be paid by the State Treasurer on the warrant of the Comptroller-General.

Approved January 4th, A. D. 1894.

## AN ACT TO INCORPORATE THE TOWN OF GREELYVILLE, IN THE COUNTY OF WILLIAMSBURG.

A. D. 1893.

No. 499.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who are now, or hereafter who may be, inhabitants of the town of Greelyville, in the County of Williamsburg, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Greelyville, and the limits and boundaries of said town shall not exceed the lines herein named: Beginning at the depot as the starting point, the Northern boundary not to exceed one-quarter of a mile North of the Central R. R. of South Carolina, and the Western boundary not to exceed one-quarter of a mile West of the depot, and from the Northwestern corner of Northern boundary not to exceed one mile running South; the Eastern line not to exceed one mile in length and running from Northeast corner South or Southerly direction to whatever point to the Southern boundary as may be established by the town authorities, not to exceed one mile.

Incorporation.

Name and limits.

SEC. 2. Said town of Greelyville shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, "An Act to provide for and regulate incorporation of towns of less than one thousand inhabitants in this State," approved December 23rd, A. D. 1885, that are not inconsistent with this Act.

Rights and liabilities.

19 Stat., 174.

SEC. 3. That the election for Intendant and Wardens of said town shall be held on the third Tuesday in January, A. D. 1894, and on the third Tuesday in January of each year until otherwise provided by law.

Time of election.

SEC. 4. That for purposes of the first election for Intendant and Wardens of said town, Ashley O. Mouzon, Charles R. Burgess and Will Keels be, and they are hereby, appointed managers to conduct said election, and the said managers shall give ten days' public notice of said election by posting same in three conspicuous places in said town or by publication in some newspaper published therein.

Conduct of first election.

SEC. 5. This Act shall be a public Act, and shall continue in force for twenty years from the date of its approval, or until repealed or extended.

Public Act.

Duration.

SEC. 6. This Act shall take effect immediately upon its approval.

When to take effect.

Approved December 20th, A. D. 1893.

A. D. 1893. No. 500.

AN ACT TO PROVIDE FOR FUNDING CERTAIN BONDED INDEBTEDNESS OF YORK COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Issue of $14,000 in bonds.

the County Commissioners of York County are hereby authorized to issue fourteen thousand dollars in coupon bonds bearing seven per cent. interest per annum, interest payable annually upon surrender of coupon therefor; said bonds to be of the denomination of one hundred dollars each, and to be numbered from 1 to 140, inclusive, and payable as follows: Bonds from 1 to 20, inclusive, on the first day of January, 1895; bonds 21 to 40, inclusive, on the first day of January, 1896, and so on; so that twenty of said bonds shall be and become due and retired on the first day of January of each year until the entire amount be and become due and retired; said bonds to be used by said County Commissioners in taking up and in exchange for a like amount of existing past due York County bonds issued heretofore by the County Commissioners of York County in aid of the construction of the Chester and Lenoir Narrow Gauge Railroad.

Description.

Use of proceeds.

Annual tax levy.

SEC. 2. That the proper corporate agents of said County are hereby authorized and required to assess, levy and collect a sufficient annual tax from the taxable property of said County to meet the interest to be due, and to retire and pay the bonds to mature the January next succeeding such levy and collection, of such bonds as shall have been used in exchange for the said past due bonds as aforesaid, until all bonds so used in exchange and interest thereon shall be fully met and paid.

Repealing clause.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 23d, A. D. 1893.

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No. 501. AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF YORK COUNTY TO BORROW MONEY TO RELIEVE THE LAST TAX LEVY OF THE PLEDGE MADE TO SECURE A LOAN AGREEABLY TO THE SUPPLY BILL OF 1892.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That the County Commissioners of York County be, and they are, authorized to borrow the sum of seven thousand (7,000) dollars, and to pay interest not exceeding eight per cent. per annum, for the purpose of relieving the last tax levy made in said County for ordinary County purposes of the pledge made by them to secure a loan of ten thousand dollars for the purpose of rebuilding the court house at Yorkville, agreeably to Section 2 of the Act entitled "An Act to raise supplies and make appropriations for the fiscal year commencing November 1st, 1892," approved December 24th, 1892, and to pledge the levy to be made for the fiscal year commencing November 1st, 1893, for ordinary County purposes to secure the repayment of said new loan, as in the first instance.

A. D. 1893.

Loan authorized.

Purposes.

Ante 42.

Pledge of taxes.

Approved December 23d, A. D. 1893.

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AN ACT TO AUTHORIZE THE TOWN COUNCIL OF YORKVILLE TO ISSUE WATER SUPPLY BONDS FOR THE PURPOSE OF RETIRING OTHER BONDS, AND FOR COMPLETING AND EQUIPPING ITS WATER SYSTEM. No. 502.

*Whereas*, The Town Council of Yorkville, pursuant to authority contained in the charters of said town, and at the request of the people of said town, has issued sixteen thousand dollars of bonds, maturing in ten, twenty, thirty, forty and fifty years, respectively, principal and interest payable in gold coin, for the construction and equipment of a permanent water supply for the said town, for protection against fire; *and whereas* it is desired that several series of bonds be consolidated into one series by the issue of other bonds to retire the bonds issued and outstanding and to properly equip and complete said water supply system; therefore,

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Yorkville be, and is hereby, authorized to issue bonds of the corporation of Yorkville to an amount not exceeding eighteen thousand five hundred dollars, bearing interest at 6 per cent. per annum, payable semi-annually, and maturity thirty years after date, the principal and interest payable in gold

Issue of bonds.

Description.

A. D. 1893. coin, for the purpose of retiring the water supply bonds heretofore issued and to properly equip and complete its water system.

Purposes.

Approved December 23d, A. D. 1893.

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No. 503. AN ACT TO INCORPORATE THE TOWN OF EBENEZER, IN YORK COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or hereafter may be inhabitants of the town of Ebenezer shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Ebenezer, commencing at a point in centre of road on North side of cemetery running in an Easterly direction one-fourth mile, thence in a Southerly direction parallel with main road one and three-quarter miles to a point, thence in a Westerly direction one-half mile to a point, thence in a Northerly direction parallel with main road to a point, thence in an Easterly direction to the beginning.

Incorporation.

Name and limits.

Rights and liabilities. SEC. 2. Said town of Ebenezer shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporations of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.

19 Stat., 174.

Sale of liquors prohibited. SEC. 3. That the sale of spirituous, malt or intoxicating liquors be, and the same is hereby, prohibited within the corporate limits of said town.

Public Act. SEC. 4. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter.

Duration.

When to take effect. SEC. 5. This Act shall take effect immediately upon its approval.

Approved December 20th, A. D. 1893.

AN ACT TO AMEND AND CONFIRM THE CHARTER OF THE CLOVER MANUFACTURING COMPANY.

A. D. 1893.

No. 504.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Clover Manufacturing Company, chartered as a corporation by a certificate of incorporation issued by the Sec- Secretary of State of the State of South Carolina, dated the 20th day of January, A. D. 1890, be, and the same is hereby, amended so as to enable the said company to buy, sell and do a general mercantile business, under the name of Clover Cotton Manufacturing Company: *Provided*, Not more than $5,000 of funds belonging to said company shall at any time be employed in said business; nor shall said company at any one time incur liability or liabilities in reference thereto to a greater amount than five thousand ($5,000) dollars.

Charter amended.

20 Stat., 1008.

Mercantile powers.

Provisoes.

SEC. 2. That the charter of said company as hereby amended be, and the same is hereby, confirmed, with all the rights, privileges and powers conferred on private incorporations formed for the purpose of carrying on any manufacturing, mining, industrial, labor, immigration or other business, except for railroad purposes, under an Act entitled "An Act to provide for the formation of certain corporations under general laws," approved 23d December, 1886.

Charter confirmed.

Rights and privileges.

19 Stat., 540.

Approved January 4th, A. D. 1894.

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[This Joint Resolution was inadvertently omitted from its proper place among the foregoing Acts and Joint Resolutions.]

A JOINT RESOLUTION TO AUTHORIZE AND EMPOWER THE STATE HOUSE COMMISSION TO PROVIDE A SUITABLE OFFICE FOR THE STATE SUPERINTENDENT OF EDUCATION AND TO FURNISH THE SAME.

No. 505.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State House Commission be, and they are hereby, authorized and empowered, if practicable, to furnish the office of the State Superintendent of Education with all suitable and necessary furniture and shelving for the keeping and preservation of the records of his office.

To be supplied with furniture and shelving.

Approved December 18th, A. D. 1893.

# APPENDIX.

# LIST OF CHARTERS

## GRANTED BY THE SECRETARY OF STATE.

Under the provisions of the Act of December 23d, 1886, (19 Stat., 540,) entitled "An Act to provide for the formation of corporations under general laws," and Acts amending the same, and reported by the Secretary of State to the General Assembly in his Report of November, 1893, published under authority of Section 3 of Act of 1892, 21 Stat., 23.

ALLEN BATTING COMPANY.—Incorporated to manufacture and sell cotton batting, etc. Location, Lexington Depot, S. C. Amount of capital stock, ten thousand dollars. Par value, one hundred dollars each. Date of charter, 1st June, 1893.

THE ALLIANCE CO-OPERATIVE STORE.—Incorporated to do a general mercantile business. Location, Lowndesville, S. C. Amount of capital stock, five thousand dollars. Par value, five dollars each. Date of charter, 13th May, 1893.

THE BANK OF CONWAY.—Incorporated to do a general banking business. Location, Conway, S. C. Amount of capital stock, twenty thousand dollars. Par value, twenty-five dollars each. Date of charter, 29th May, 1893.

THE BARNWELL OIL COMPANY.—Incorporated to manufacture oil, cotton seed meal, &c. Location, Barnwell C. H., S. C. Amount of capital stock, fifty thousand dollars. Par value, fifty dollars each. Date of charter, 5th July, 1893.

THE BATESBURG COTTON MILLS.—Incorporated to manufacture cotton into yarns and cotton cloths. Location, Batesburg, S. C. Amount of capital stock, fifty thousand dollars. Par value, one hundred dollars each. Date of charter, 15th April, 1893.

THE BROTHERHOOD ENTERPRISE ASSOCIATION.—Incorporated to do a general mercantile business. Location, Darlington, S. C. Amount of capital stock, five hundred dollars. Par value, five dollars each. Date of charter, 25th August, 1893.

THE BUILDING AND LOAN ASSOCIATION OF FORT MILL, S. C.—Incorporated to do a general building and loan business. Location, Fort Mill, S. C. Amount of capital stock, twenty-five thousand dollars. Par value, one hundred dollars each. Date of charter, 13th February, 1893.

CALHOUN LAND COMPANY, OF CALHOUN, S. C.—Incorporated to deal in real estate. Location, Calhoun, S. C. Amount of capital stock, fifty thousand dollars. Par value, one hundred dollars each. Date of charter, 27th March, 1893.

THE CAROLINA BROOM WORKS.—Incorporated to manufacture brooms, baskets, axe handles, bobbins, shuttles, etc. Location, Spartanburg, S. C. Amount of capital stock, two thousand dollars. Par value, ten dollars each. Date of charter, 17th March, 1893.

THE CAROLINA AND GEORGIA LUMBER COMPANY.—Incorporated to do a general lumber business. Location, Charleston, S. C. Amount of capital stock, eight thousand dollars. Par value, fifty dollars each. Date of charter, 25th January, 1893.

CAROLINA MIDLAND BANKING COMPANY.—Incorporated to do a general banking business. Location, Allendale, S. C. Amount of capital stock, twenty-five thousand dollars. Par value, fifty dollars each. Date of charter, 3d March, 1893.

CHARLESTON BASKET AND VENEER COMPANY.—Incorporated to manufacture and deal in baskets, barrels, crates, veneer and wooden ware. Location, Charleston, S. C. Amount of capital stock, fifteen thousand dollars. Par value, fifty dollars each. Date of charter, 17th July, 1893.

THE CHARLESTON GRAIN EXPORTING COMPANY.—Incorporated to do an export and import business. Location, Charleston, S. C. Amount of capital stock, ten thousand dollars. Par value, one hundred dollars each. Date of charter, 31st March, 1893.

CHARLESTON PHOTO-ENGRAVING COMPANY.—Incorporated to manufacture and engrave for all printing purposes. Location, Charleston, S. C. Amount of capital stock, five thousand dollars. Par value, fifty dollars each. Date of charter, 13th February, 1893.

THE CHARLESTON PRODUCE COMPANY.—Incorporated to conduct a general produce business. Location, Charleston, S. C. Amount of capital stock, one thousand dollars. Par value, fifty dollars each. Date of charter, 8th March, 1893.

THE CHARLESTON WHEELMEN'S TRACK ASSOCIATION.—Incorporated to erect and maintain a track for bicycle and other cycle or wheel riding, etc. Location, Charleston, S. C. Amount of capital stock, five thousand dollars. Par value, twenty-five dollars each. Date of charter, 31st March, 1893.

THE CHERAW COTTON MILL.—Incorporated to manufacture and sell cotton goods. Location, Cheraw, S. C. Amount of capital stock, fifty thousand dollars. Par value, fifty dollars each. Date of charter, 4th May, 1893.

THE CHERAW HARDWARE AND SUPPLY COMPANY.—Incorporated to do a general hardware and supply business. Location, Cheraw, S. C. Amount of capital stock, four thousand dollars. Par value, fifty dollars each. Date of charter, 29th August, 1893.

THE CHRISTOPHER DOUBLE-POWER ROTARY ENGINE COMPANY.—Incorporated to secure caveats, patents, patent rights and renewals, etc., manufacture and sell rotary wabbling piston engines, etc. Location, Spartanburg, S. C. Amount of capital stock, one million dollars. Par value, fifty dollars each. Date of charter, 25th September, 1893.

THE CITIZENS FIRE AND MARINE INSURANCE COMPANY.—Incorporated to do a fire insurance business. Location, Charleston, S. C. Amount of capital stock, twenty-five thousand dollars. Par value, one hundred dollars each. Date of charter, 13th May, 1893.

THE COLONIAL LAKE SWAN BOAT COMPANY.—Incorporated to conduct the business of running swan boats on Colonial Lake and other waters in this State. Location, Charleston, S. C. Amount of capital stock, five thousand dollars. Par value, fifty dollars each. Date of charter, 22d December, 1893.

THE COLORED FARMERS ASSOCIATION, OF ST. HELENA ISLAND, S. C.—Incorporated to gin cotton, grind grain and manufacture cotton into cotton goods, &c. Location, St. Helena Island. Amount of capital stock, five thousand dollars. Par value, ten dollars each. Date of charter, 3d July, 1893.

THE COLUMBIA JOURNAL.—Incorporated to issue one or more daily and weekly newspapers. Location, Columbia, S. C. Amount of capital stock, ten thousand dollars. Par value, one hundred dollars each. Date of charter, 21st January, 1893.

COLUMBIA MILLS COMPANY, OF COLUMBIA, S. C.—Incorporated to manufacture cotton and wool goods. Location, Columbia, S. C. Amount of capital stock, seven hundred thousand dollars. Par value, one hundred dollars each. Date of charter, 21st June, 1893.

THE COOSAW COMPANY.—Incorporated to do a general fertilizer business. Location, Coosaw River; principal office, Charleston, S. C. Amount of capital stock, one million dollars. Par value, one hundred dollars each. Date of charter, 23d November, 1892.

THE COTTAGE HOME BUILDING AND LOAN ASSOCIATION.—Incorporated to do a general building and loan business. Location, Rock Hill, S. C. Amount of capital stock, ten thousand dollars. Par value, one hundred dollars each. Date of charter, 8th May, 1893.

THE COURTENAY MANUFACTURING COMPANY.—Incorporated to manufacture cotton and wool goods. Location, Oconee County. Amount of capital stock, one hundred and fifty thousand dollars. Par value, one hundred dollars each. Date of charter, 5th May, 1893.

EDISTO CYPRESS SHINGLE COMPANY.—Incorporated to manufacture and sell shingles and all kinds of lumber. Location, Edisto, S. C. Amount of capital stock, ten thousand dollars. Par value, one hundred dollars each. Date of charter, 14th December, 1892.

EDMONDS T. BROWN COMPANY.—Incorporated to do a wholesale and fancy goods business. Location, Charleston, S. C. Amount of capital stock, thirty thousand dollars. Par value, one hundred dollars each. Date of charter, 12th December, 1892.

THE FARMERS ALLIANCE STORE.—Incorporated to do a general merchandise business. Location, Johnston, S. C. Amount of capital stock, five thousand dollars. Par value, five dollars each. Date of charter, 12th January, 1893.

THE FARMERS BANK.—Incorporated to do a general banking business. Location, Allendale, S. C. Amount of capital stock, twenty-five thousand dollars. Par value, fifty dollars each. Date of charter, 10th April, 1893.

FLORENCE COUNTY HEDGE FENCE COMPANY.—Incorporated to plant, sell, grow, trim, plash, build hedge fences. Location, Florence, S. C. Amount of capital stock, fifteen thousand dollars Par value, one hundred dollars each. Date of charter, 25th January, 1893.

THE GATES DESK COMPANY.—Incorporated to deal in furniture. Location, Greenville, S. C. Amount of capital stock, twenty-five thousand dollars. Par value, one hundred dollars each. Date of charter, 4th October, 1893.

THE GERMAN-AMERICAN TRUST AND SAVINGS BANK.—Incorporated to do a general banking business. Location, Charleston, S. C. Amount of capital stock, forty thousand dollars. Par value, one hundred dollars each. Date of charter, 13th February, 1893.

GILREATH-DURHAM COMPANY.—Incorporated to deal in silverware, jewelry, fancy goods, etc. Location, Greenville, S. C. Amount of capital stock, twenty thousand dollars. Par value, five hundred dollars each. Date of charter, 25th April, 1893.

THE GLENN SPRINGS TELEPHONE AND TELEGRAPH COMPANY.—Incorporated to maintain and operate a telephone and telegraph line to Spartanburg and other points. Location, Glenn Springs, S. C. Amount of capital stock, five hundred dollars. Par value, five dollars each. Date of charter, 28th January, 1893.

THE GREAT SOUTHERN FIBRE COMPANY.—Incorporated to prepare for use and sale grey moss, marsh grass, rushes, Spanish bayonet, bear grass, etc., for market. Location, Charleston, S. C. Amount of capital stock, fifty thousand dollars. Par value, one hundred dollars each. Date of charter, 16th November, 1892.

THE GREENVILLE PARK ASSOCIATION.—Incorporated to provide a park for holding athletic games, etc. Location, Greenville, S. C. Amount of capital stock, six hundred dollars. Par value, ten dollars each. Date of charter, 20th July, 1893.

THE HARTSVILLE PUBLISHING COMPANY.—Incorporated to publish one or more papers or periodicals and a general printing and stationery business. Location, Hartsville, S. C. Amount of capital stock, fifteen hundred dollars. Par value, five dollars each. Date of charter, 20th January, 1893.

HOME BUILDING AND LOAN ASSOCIATION.—Incorporated to do a general building and loan business. Location, Spartanburg, S. C.

Amount of capital stock, two hundred thousand dollars. Par value, one hundred dollars each. Date of charter, 19th May, 1893.

THE HOME IMPROVEMENT COMPANY.—Incorporated to deal in real estate. Location, Darlington, S. C. Amount of capital stock, ten thousand dollars. Par value, twenty-five dollars each. Date of charter, 17th February, 1893.

THE JOHNSTON MANUFACTURING AND FURNITURE COMPANY.—Incorporated to manufacture and deal in dressed lumber, doors, sash, blinds, &c. Location, Johnston, S. C. Amount of capital stock, five thousand dollars. Par value, twenty-five dollars each. Date of charter, 9th January, 1893.

THE LABORING MEN'S BUILDING AND LOAN ASSOCIATION.—Incorporated to do a general building and loan business. Location, Darlington, S. C. Amount of capital stock, two thousand five hundred dollars. Par value, ten dollars each. Date of charter, 14th November, 1892.

THE LADDER PUBLISHING COMPANY.—Incorporated to publish one or more newspapers and to do a general printing business. Location, Kingstree, S. C. Amount of capital stock, two thousand dollars. Par value, five dollars each. Date of charter, 24th February, 1893.

THE LIMESTONE COMPANY.—Incorporated for the purpose of agricultural, ginning, milling, mechanical, manufacturing, mining, and merchandising. Location, near Edgefield C. H., S. C. Amount of capital stock, seventy-five thousand dollars. Par value, twenty-five dollars each. Date of charter, 13th February, 1893.

THE LIQUOR DISTILLERS' ASSOCIATION.—Incorporated to do a general liquor business. Location, Greenville, S. C. Amount of capital stock, five thousand dollars. Par value, one hundred dollars each. Date of charter, 30th October, 1892.

THE MARLBOROUGH COUNTY HEDGE FENCE COMPANY.—Incorporated to plant, grow, trim, plash and build hedge fences. Location, Bennettsville, S. C. Amount of capital stock, twenty thousand dollars. Par value, one hundred dollars each. Date of charter, May 16, 1893.

THE MEANS COMPANY.—Incorporated to do a general merchandise business. Location, Anderson, S. C. Amount of capital stock, fifteen thousand dollars. Par value, fifty dollars. Date of charter, 3d February, 1893.

MELLARD-BROWN LUMBER COMPANY, CHARLESTON, S. C.—Incorporated to do a general lumber business. Location, Charleston, S. C. Amount of capital stock, ten thousand dollars. Par value, one hundred dollars each. Date of charter, 8th May, 1893.

THE MILLER COTTON COMPANY.—Incorporated to manufacture and sell cotton goods, etc. Location, Columbia, S. C. Amount of capital stock, twenty thousand dollars. Par value, one hundred dollars each. Date of charter, 5th December, 1892.

MONTEREY COMPANY.—Incorporated to manufacture and sell proprietary medicine. Location, Florence, S. C. Amount of capital stock, fifty thousand dollars. Par value, twenty-five dollars each. Date of charter, 30th January, 1893.

NATHAN AND WHILDEN COMPANY.—Incorporated to do a general commission business. Location, Charleston, S. C. Amount of capital stock, two thousand dollars. Par value, fifty dollars each. Date of charter, 1st May, 1893.

THE NEWBERRY PUBLISHING COMPANY.—Incorporated to publish, purchase and sell printed books, etc. Location, Newberry, S. C. Amount of capital stock, five hundred dollars. Par value, fifty dollars each. Date of charter, 15th August, 1893.

NINETY-SIX OIL MILL.—Incorporated to manufacture oil, gin cotton, refine cotton seed oil, etc. Location, Ninety-Six, S. C. Amount of capital stock, seven thousand dollars. Par value, one hundred dollars each. Date of charter, 25th July, 1893.

ORANGEBURG MANUFACTURING COMPANY.—Incorporated to manufacture and sell doors, sash and blinds, etc. Location, Orangeburg, S. C. Amount of capital stock, fifteen thousand dollars. Par value, one hundred dollars each. Date of charter, 15th May, 1893.

OSWALD MCMILLAN COMPANY.—Incorporated to do a general confectionery and ice cream business. Location, Charleston. Amount of capital stock, four thousand dollars. Par value, one hundred dollars each. Date of charter, 12th July, 1893.

THE PALMETTO FUR COMPANY.—Incorporated to buy, sell, barter furs, skins, hides, and the dealing in tallow, beeswax, etc. Location, Columbia, S. C. Amount of capital stock, eight hundred dollars. Par value, twenty-five dollars each. Date of charter, 3d December, 1892.

THE PALMETTO SOAP MANUFACTURING COMPANY.—Incorporated to manufacture and sell all kinds of soaps. Location, Charleston, S. C. Amount of capital stock, twenty-five thousand dollars. Par value, fifty dollars each. Date of charter, 31st July, 1893.

THE PEE DEE LAND COMPANY.—Incorporated to deal in real estate. Location, Florence, S. C. Amount of capital stock, ten thousand dollars. Par value, one hundred dollars each. Date of charter, 10th June, 1893.

THE PEOPLE'S JOURNAL.—Incorporated to conduct a newspaper and do general job printing. Location, Spartanburg, S. C. Amount of capital stock, two thousand dollars. Par value, ten dollars each. Date of charter, 21st June, 1893.

PRESBYTERIAN PUBLISHING COMPANY.—Incorporated to conduct a newspaper and do a general printing business. Location, Clinton, S. C. Amount of capital stock, six thousand dollars. Par value, twenty-five dollars each. Date of charter, 17th March, 1893.

THE REFORM ADVOCATE.—Incorporated to conduct a newspaper and printing business. Location, Florence, S. C. Amount of capital stock, eight hundred dollars. Par value, four dollars each. Date of charter, 24th July, 1893.

THE ROCK HILL BUGGY COMPANY.—Incorporated to manufacture and sell all kinds of buggies and vehicles. Location, Rock Hill, S. C. Amount of capital stock, seventy-five thousand dollars. Par value, one hundred dollars each. Date of charter, 22d December, 1892.

THE ROCK HILL MACHINE WORKS.—Incorporated to manufacture all articles of wood, metal, etc. Location, Rock Hill, S. C. Amount of capital stock, ten thousand dollars. Par value, fifty dollars each. Date of charter, 16th February, 1893.

RODDEY MERCANTILE COMPANY.—Incorporated to do a general mercantile business. Location, Rock Hill, S. C. Amount of capital stock, fifty thousand dollars. Par value, one hundred dollars each. Date of charter, 13th February, 1893.

THE ROSE PHOSPHATE COMPANY.—Incorporated to do a general mining business. Location, Charleston, S. C. Amount of capital stock, thirty thousand five hundred dollars. Par value, one hundred dollars each. Date of charter, 3d July, 1893.

THE SALLY MERCANTILE COMPANY.—Incorporated to do a general mercantile business. Location, Sally, S. C. Amount of capital stock, ten thousand dollars. Par value, one hundred dollars each. Date of charter, 25th September, 1893.

THE SECURITY BUILDING AND LOAN ASSOCIATION.—Incorporated to do a general building and loan business. Location, Charleston, S. C. Amount of capital stock, one hundred and twenty thousand dollars. Par value, one hundred dollars each. Date of charter, 27th June, 1893.

THE SOCIAL CLUB OF ULMER, S. C.—Incorporated for social purposes. Location, Ulmer, S. C. Amount of capital stock, two hundred dollars. Par value, two dollars each. Date of charter, 9th December, 1892.

STEIFERIAN BUSINESS COLLEGE.—Incorporated to teach book-keeping, typewriting and telegraphy. Location, Columbia, S. C. Amount of capital stock, fifteen hundred dollars. Par value, one hundred dollars each. Date of charter, 11th May, 1893.

THE SUMTER WATER COMPANY.—Incorporated to supply water for public and private uses in Sumter. Location, Sumter, S. C. Amount of capital stock, sixty-five thousand dollars. Par value, one hundred dollars each. Date of charter, 30th January, 1893.

UNION COTTON MILLS.—Incorporated to manufacture and sell cotton goods. Location, Union, S. C. Amount of capital stock, fifty thousand dollars. Par value, one hundred dollars each. Date of charter, 28th February, 1893.

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